UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/1990/6/Add.31
10 August 2001

ENGLISH
Original: RUSSIAN

Substantive session of 2002

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Second periodic reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

GEORGIA* **

[19 June 2001]

* The initial report submitted by the Government of Georgia was considered by the Committee on Economic, Social and Cultural Rights at its twenty-second session in 2000 (see E/C.12/2000/SR.3-5 and concluding observations E/C.12/1/Add.42.

** The information submitted by Georgia in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.90/Rev.1).

GE.01-44075 (E) 061101 141101

CONTENTS

	Paragraphs	Page
Introduction	1 - 15	3
Article 1	16	5
Article 2	17	5
Article 3	18	5
Article 6	19 - 78	6
Article 7	79 - 99	15
Article 8	100	18
Article 9	101 - 124	18
Article 10	125 - 141	23
Article 11	142 - 186	25
Article 12	187 - 225	35
Article 13	226 - 242	47
Article 15	243 - 288	51
Annex		58
List of attached documents		59

Introduction

1. On 25 January 1994, the Georgian Parliament adopted a decision by which Georgia acceded to the International Covenant on Economic, Social and Cultural Rights (hereinafter the "Covenant"). The Covenant entered into force for Georgia on 3 August 1994. Pursuant to articles 16 and 17 of the Covenant, the country's initial report on measures to implement its obligations under the Covenant (E/1990/5/Add.37) was submitted in August 1997 to the Committee on Economic, Social and Cultural Rights. The report was considered in April 2000 and the Committee adopted its concluding observations in May 2000 (see document E/C.12/1/Add.42).

2. The concluding observations of the Committee on Economic, Social and Cultural Rights were published in the official press of Georgia and, in that way, were made widely accessible to all sectors of the country's population.

3. This report is the second periodic report and covers the period from the submission of the initial report to January 2001. The report has been prepared in accordance with the general guidelines adopted by the Committee on Economic, Social and Cultural Rights.

4. The report was prepared by the Human Rights Protection Service, under the supervision of the Deputy Secretary of the Georgian National Security Council. The National Security Council is a constitutional body chaired by the President. As of January 2001 the afore-mentioned service has been given responsibility for preparing all Georgia's reports on the country's implementation of international human rights instruments and the corresponding presentations to the relevant treaty bodies.

5. The factual information submitted in the report has been provided by the Ministry of Labour, the Ministry of Health and Social Welfare, the Ministry of Education, the Ministry of Town Planning and Construction, the Ministry of Agriculture and Food Production, the Ministry of Culture, the Ministry of Justice and the Georgian Academy of Sciences.

6. During the reporting period Georgia stepped up the process of reforming the judiciary, with a view to making the courts genuinely independent, just and impartial, in accordance with the principle of the supremacy of law. Parliament has adopted the General Courts' Act and the Supreme Court Act in the specific context of court reform, and a system of qualifying examinations for candidates for judgeships has been introduced. One of the exam topics is "International instruments and international treaties and agreements concluded by Georgia in the field of human rights" (General Courts' Act, article 68, paragraph 3). The qualifying examinations called for under the reform have led to the replacement of two thirds of the judges in district, municipal and circuit courts, the supreme courts of the autonomous republics and the Supreme Court of Georgia.

7. The adoption by Parliament of new codes of criminal and civil procedure, which confirm that the courts are the chief avenue for addressing violations of human rights and freedoms, has been an important contribution to the legal reform of the court system. In addition, important legislative instruments such as the civil, criminal and general administrative codes have also been adopted during the period covered by the report.

8. The Constitutional Court of Georgia, the body which monitors constitutionality, is hard at work. It operates within the framework of the powers conferred upon it by the Constitution and the corresponding enabling legislation. Of the nearly 140 suits brought before the Court to date, 15 have been settled in favour of plaintiffs.

9. During the reporting period Georgia became a party (in June 1999) to another United Nations human rights instrument, the Convention on the Elimination of All Forms of Racial Discrimination. The country's initial report on its efforts to implement the Convention was submitted in good time to the Committee on the Elimination of Racial Discrimination and considered in March 2001. The concerns and recommendations adopted by the Committee on the Elimination of Racial Discrimination were discussed by the Georgian National Security Council in May of this year.

10. In April 1999 Georgia was the first Transcaucasian State to become a full member of the Council of Europe. This is an indication of the European Community's recognition of the progress made by Georgia in building a State governed by the rule of law. Meanwhile, Georgia has assumed greater responsibility, specifically in the area of recognition, observation and exercise of human rights. Georgia has acceded to the European Convention for the Protection of Human Rights and Fundamental Freedoms and its protocols, which - with the exception of the first protocol - the Georgian Parliament has already ratified. Within the framework of that Convention, Georgia has recognized the jurisdiction of the European Court of Human Rights and Georgia's representative to the Court has already been selected - the former President of the Supreme Court of Georgia.

11. In October 1999 Georgia signed a protocol on accession to the Marrakesh Agreement establishing the World Trade Organization (WTO). Parliament has ratified the protocol and Georgia has become a full member of WTO.

12. In November 1998 the first ever elections to local self-government bodies were held in Georgia. In many cases the representative bodies which were formed at the district level as a result of these elections created human rights commissions, which are now operational. The next elections to these local self-government bodies are scheduled for autumn 2001.

13. Under article 6 of the Constitution, international treaties and agreements to which Georgia is party and which do not contradict the Constitution shall prevail over domestic legislation. Under the Legislative Instruments Act, Georgia's international treaties are considered to be normative acts, which means that the provisions of international treaties concluded by Georgia are applied on a par with those of domestic legislation. In the Georgian legal system, international treaties concluded by the country rank third, after the Constitution and the Constitutional Agreement. Moreover, under the International Treaties Act, once Georgia has signed (ratified) an international treaty it becomes an integral part of domestic law. International treaties that establish specific rights and obligations do not need to be elaborated through the adoption of domestic legislative instruments, but have immediate effect in Georgia. Thus it is entirely permissible to apply and cite the Covenant directly in court. There have been no instances of such citation in Georgian courts over the reporting period.

14. One of the key problems facing the Georgian State in the immediate future is the need to overcome poverty. Relevant sections of the present report describe steps to be taken for this purpose. With reference to this issue we should also note that, in January 2000, the Georgian Government adopted a document entitled "Blueprint for Social Development", which lays the foundations for a new, long-term programme for the transformation of Georgian society.

15. The programme has the following strategic goals:

- Major improvement in the living conditions and material status of the population;
- Effective job-placement and job-creation measures and improvements in the quality and competitiveness of the workforce;
- Measures to uphold constitutional guarantees in the domains of employment, social security, education, health care and culture;
- Shift of emphasis in social policy on to the family and measures to give effect to the rights and social guarantees of the family, women, children and young people;
- Improvement in the demographic situation and upgrading of social infrastructure.

Article 1

16. Information on the exercise of the right of all peoples to self-determination may be found in paragraphs 22-41 of Georgia's second periodic report under the International Covenant on Civil and Political Rights.

Article 2

17. With regard to paragraphs 2 and 3 of article 2 of the Covenant (on guaranteeing the principle of non-discrimination and the rights of non-nationals), attention is drawn to paragraphs 42, 43, 45 and 46 of Georgia's second periodic report under the International Covenant on Civil and Political Rights and to paragraphs 9-18 of its initial report under the International Convention on the Elimination of All Forms of Racial Discrimination.

Article 3

18. The question of ensuring the equality of men and women in their exercise of the rights set forth in the Covenant and of other human rights and freedoms is extensively discussed in Georgia's second periodic report under the International Covenant on Civil and Political Rights (paras. 53-59). Information on this issue may also be found in the country's periodic report under the Convention on the Elimination of All Forms of Discrimination against Women, submitted to the relevant United Nations treaty body in September 2000.

Article 6

19. Issues relating to legal safeguards of the right to work are extensively explored in Georgia's initial report under the Covenant (paras. 35, 36 and 38). There were no changes to Georgia's labour legislation during the period under review.

20. Georgia is a party to 11 conventions of the International Labour Organization (ILO), as described in more detail in the comments under article 7 of the Covenant below. Suffice it to mention here that special reports on Georgia's compliance with the requirements of Convention No. 122 concerning Employment Policy and No. 111 concerning Discrimination in respect of Employment and Occupation have been prepared for submission to ILO by the Department of Employment and Labour Relations in the Ministry of Labour, Health and Social Welfare.

21. In 2000 Georgia prepared and submitted to the relevant United Nations treaty bodies its initial report on compliance with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, to which it acceded in June 1999, and its second periodic report on implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women. With reference to this article of the Covenant, we should note that the issue of upholding the right to work in freedom from discrimination is discussed both in the report under the International Convention on the Elimination of All Forms of Racial Discrimination (paras. 190-197) and in that under the Convention on the Elimination of All Forms of Discrimination against Women (paras. 82-93). In our comments under articles of the Covenant relating to more specific aspects of the right to work, there are further references to relevant paragraphs of the report under the International Convention on the Elimination of All Forms of Racial Discrimination.

Situation regarding employment (general review)

22. Below we provide information submitted by the Ministry of Labour, Health and Social Security.

23. In recent years the problem of unemployment has become particularly acute in Georgia. Social, economic and political processes under way in the country over the last 10 years have led to a significant decline in the country's basic economic indicators. In 1999 the gross domestic product (GDP) had dropped to 37.1 per cent of its 1990 level. This decline has seriously undermined prospects for employment. The number of persons in employment also declined by 37.2 per cent over the period 1990-1991. The phenomena of quasi-unemployment and under-employment have become extremely widespread. The limited prospects for employment have caused a growing number of job-seekers to leave the country. According to estimates by experts, between 500,000 and 1 million people have left Georgia in search of work. The dramatic decline in the birth rate in the 1990s, further compounded by negative migratory trends, led to a significant reduction in the country's workforce, yet the parallel decline in the demand for labour considerably outstripped the rate of decline of its supply, as reflected in the high unemployment levels.

24. In 1999, 2,056,300 people were economically active, representing 39.5 per cent of the population (as against 50.6 per cent in 1990). Of the population aged 15 and over, 67.5 per cent

were economically active. Of the economically active population, those in employment numbered 1,732,600 (84.2 per cent) and the unemployed - 323,800 (13.8 per cent). By ILO criteria, the country's unemployment level was measured at 13.8 per cent and, by the so-called "soft" criteria, this figure was 15.7 per cent. Set against the average for the country as a whole, the highest unemployment levels were recorded in the capital, Tbilisi, at 29.3 per cent.

25. Among those in employment, wage earners and salaried employees make up 42.2 per cent of the population and self-employed 57.8 per cent. The high percentage of self-employed is due to the fact that the employable family members of persons who own plots of land measuring 1 hectare or more are considered to be in gainful employment, irrespective of whether or not the family is working the land and deriving any income from it. This also explains why unemployment levels in towns (24.8 per cent) are so much higher than in the countryside, although there are in fact far more opportunities for gainful employment in towns than in the countryside.

26. It should also be noted that 63 per cent of wage earners and salaried employees work in the State sector, showing how few inroads have been made by the private sector in the labour market.

27. Official statistics set the level of unemployment among men at 15.3 per cent and among women at 12.1 per cent. This would seem to suggest that the employment indicators for women are higher than for men, but the truth of the matter is different. In fact a particularly high proportion of women are considered to be outside the workforce: the country's economically inactive population includes twice as many women as men. At the same time, a particularly high percentage of employed women are actually working without remuneration on family farms - 40.2 per cent, while for men this figure is only 21.4 per cent.

28. Further statistics on employment may be found in Georgia's initial report under the International Convention on the Elimination of All Forms of Racial Discrimination (paras. 208-210).

29. Broken down by age, unemployment levels are particularly high among young people aged 20-25 (28.8 per cent) and 25-29 (22.5 per cent). In older age groups, unemployment levels drop, a phenomenon which may be attributed to two factors. First, compared to older age groups, the activity level is slightly lower with young people, as the majority of them are undergoing some form of education involving the disruption of their employment and, second, employment possibilities in the job market are limited for young people, both because they themselves are increasingly particular about their working conditions and because they lack the necessary production and employment experience, as well as for other reasons.

30. Data from the United State Employment Fund showed that, as of September 2000, there were 113,800 people officially registered as unemployed. Over the period January-September 2000, a further 20,200 registered as unemployed at local offices of the Fund, while some 9,200 were taken off the list. In all, 550 unemployed people were sent for vocational retraining. Of the 8,100 job seekers who found employment over this period, 1,100 were assigned to temporary community work. The overall majority of those placed in jobs were employed in the services sector.

31. As of September 2000, unemployment benefits were being paid to some 3,300 unemployed persons. Over this period the total amount paid out in such benefits was some 212,000 lari. Information on this topic may also be found in Georgia's initial report under the International Convention on the Elimination of All Forms of Racial Discrimination (paras. 211-213).

32. Over the period 1997-2000, a State programme has been in operation in Georgia for the social welfare and rehabilitation of the disabled. The programme included a computer-based census of the disabled, whose numbers total some 200,000, including 30,000 children. During the reporting period, 277 disabled persons received vocational training in the country's training centre for the disabled, and of those some 100 were able to find employment.

33. Funds totalling 1 million lari (1 US$ = 2.08 lari) have been allocated for 2001 to create permanent and temporary jobs and to develop vocational training and retraining for the disabled, as part of job-creation programmes for the disabled.

Policies and measures to promote maximum employment

34. Until December 1999 the Georgian ministry responsible for developing and conducting the State policy in the area of employment was the Ministry of Labour and Social Welfare. Following the amalgamation of this ministry with the Ministry of Health, the new ministry was called the Ministry of Labour, Health and Social Welfare. This ministry's functions include development of the State's employment policy and monitoring its implementation. The United State Employment Fund is a body with independent legal status and the primary source of its funds is a 1 per cent tax withheld from all salaries and wages by employers.

35. Although, in accordance with current legislation, the functions of the Fund extend only to funding measures under the State employment policy, in fact it is the Fund which actually carries out these measures. Over the last six months, the Ministry of Labour, Health and Social Welfare has developed a range of statutory instruments to ensure full and productive employment, which include the following:

- General outline of State employment policy;
- Bill on employment;
- Bill on compulsory State unemployment insurance;
- Bill on economic migration;
- Regulations on the organization of community work;
- Procedure for the conduct of measures to prevent unemployment.

36. The statutes and other instruments listed above are intended to fill the legislative vacuum which still obtains in the employment sphere. A particularly important development has been

the radical change in approaches to employment issues, following the adoption by Parliament in 1997 of the Blueprint for Social Development, which takes a much more proactive line.

37. At the current stage in the country's development, the State employment policy hinges on the creation of mechanisms genuinely capable of promoting employment. At the same time, the priority given to the active promotion of employment through employment agencies does not in any way imply the rejection of social welfare for the unemployed or the conduct of a reactive policy in the employment sphere.

38. The proactive employment policy entails the conduct of measures to create new jobs and to safeguard those already in existence, as well as to promote more effective employment. One of the methods used to attain this goal is by providing financial support for the development of small, medium and family-based enterprises, in particular, through subsidies, guarantees and the granting of loans. Support of this kind will be provided primarily in those areas of the country where unemployment levels are above the national average. In areas targeted for priority development, in addition to the measures mentioned above, job placement measures will also be conducted for people in those sectors of the population which have difficulty competing on the job market, thus, close attention is being given to employment creation for the population of the country's alpine regions.

39. Questions relating to vocational training and ensuring that job-seekers have the necessary qualifications are also of great importance. In line with ILO recommendations, the new employment bill makes provision for the introduction of a system of grants for the vocational training of unemployed persons.

40. Taken as a whole, the country's proactive employment policy is underpinned by a number of State, regional and specific-purpose programmes. A national employment programme has already been drafted, based on the Blueprint for Social Development adopted by Parliament. In preparing the programme, use was made of a range of statistical material, including both empirical and theoretical data (estimates). The main problem is that, to date, no thorough study has been made of the labour market in Georgia. Conduct of such a study has been scheduled for 2001, with the support of the World Bank and ILO. Certain parameters of the State employment policy will be revised in the light of the findings of that study, to ensure that the programme is more focused.

41. Private employment agencies can render significant assistance to job-seekers, working in partnership with State bodies. The new employment bill will provide, for the first time, a legislative framework for the work of private agencies of this kind.

42. Implementation of the State employment policy through the new employment bill will be facilitated by the creation of a State employment service, with the status of a public legal entity. This service will operate as an integrated and effective system, as required by ILO Convention No. 88.

Free choice of employment; working conditions consistent with the political and economic rights of citizens

43. Information about constitutional guarantees of the freedom of work and the general legislative framework regulating this area may be found in paragraphs 35 and 36 of the initial report.

44. In addition, it should be noted that the current Employment Act enshrines the right of Georgian citizens to the free choice of employment by direct arrangement with any enterprise or organization, regardless of its form of ownership, or through the State employment service (article 8). The State guarantees the following rights in respect of the unemployed:

- To free vocational training and retraining;
- To free choice of the type of work or activity;
- To the provision of assistance, free of charge, in seeking and finding a job (article 5).

45. In addition, the Employment Act obliges employers to assist the unemployed in finding work through the following measures:

- Drawing up an employment agreement (contract) stipulating the labour relations in accordance with labour legislation;
- Setting in place the necessary conditions for the training, retraining and further training of employees (article 14).

46. Issues relating to working conditions, remuneration, working hours and time off, individual labour disputes, the procedure for hiring and dismissal, etc., are regulated by the Code of Labour Legislation. In this way, everything is done to minimize the possibility of any type of discrimination in judicial and administrative practice and to ensure observance of the principles of justice and the equality of citizens in the sphere of labour and employment.

Programmes for the vocational and technical training of the unemployed

47. In 2000, as part of the State job security programme, 44 vocational training and retraining projects were run, at a total cost of 324,300 lari.

48. The total number of persons undergoing retraining in 2000 was more than double that in 1999. The cost of retraining a single unemployed person was 102 lari, 3.7 times less than the same exercise cost in the previous year. In 1999, budget expenditure on the retraining of the unemployed came to 520,700 lari and, in all, 1,376 unemployed persons underwent retraining: in other words, an average of 380 lari was spent on each of them. Taking into consideration that only 534 of these actually obtained the final certificate, this means that the training of a single qualified unemployed person cost the State 975 lari.

49. Accordingly, with effect from 2000, a decision was taken to optimize expenditure on the vocational training of the unemployed. When drawing up the relevant agreements with educational establishments, attention is given primarily to, first, the quality of the course and, second, the system for the award of certificates.

Problems in the sphere of employment and steps to overcome them

50. With reference to observations 23 and 24 by the Committee on Economic, Social and Cultural Rights regarding the issue of the minimum wage and the timely payment of wages in general, mention should be made of the following factors.

51. Secure productive employment is conditional upon proper performance of the corresponding work, which, pursuant to the Employment Act, it is the duty of the employment service to find for the unemployed job-seeker. Under the Code of Labour Legislation (article 2), an employee has the right to remuneration for his or her employment in accordance with its quantity and quality but, in any event, at a level not less than the subsistence minimum established by law.

52. There is a large surplus supply of labour on the Georgian labour market. Because of the high level of unemployment and the generally low level of economic development, the job-related income of most employed people is lower than the subsistence minimum. In the current conditions in the country, salaries and wages have lost their function as incentives and turned into a form of social disbursement unrelated to the quantity and quality of work.

53. The low levels of remuneration have had a negative effect on the attitude of employees to their functions and duties and are primarily responsible, in most cases, for their decisions to take a second job. Another consequence of the low level of wages and salaries is the deterioration in labour discipline and, in general, in efficiency in the workplace. We should note, however, that the situation regarding the timely payment of wages has normalized since mid-2000.

54. Even though the minimum wage has increased nearly fivefold over the period from 1996 to 2000, it still cannot be considered a sufficient livelihood by today's standards. The minimum wage amounts to 17.5 per cent of the subsistence minimum and 24.7 per cent of the average wage and is entirely inadequate to meet minimum living requirements (the minimum wage in Georgia is 20 lari).

55. The level of the minimum wage and its adjustment are inextricably linked to the country's economic situation. As things stand, the minimum wage is insufficient to ensure a subsistence livelihood but it is planned to bring it gradually up to this level. Accordingly, recommendations have been drafted on the issue of the remuneration of labour in the budgetary domain, the minimum wage and means of regulating it. These recommendations have been prepared by the Ministry of Labour, Health and Social Welfare.

56. For an effectively functioning labour market it is, without any question, essential to overcome poverty and achieve balanced economic growth. Accordingly, priority must be given

to boosting the productive employment of the labour force in the country's poorest population sectors. In this context, the most serious obstacles to employment efforts at the current time are the following:

- Severe shortage of properly trained and qualified specialists, owing to the lack of the necessary training and retraining system;
- Disturbing scale of long-term, hidden and seasonal unemployment, underemployment and inadequate employment, all of which entail massive economic and social costs;
- Unsound employment structure, in which more than 57 per cent of those in employment are self-employed;
- Huge number of low paid jobs, which is the primary cause of poverty in the country.

57. In the light of the above, the strategic goals of the country's employment policy may be identified as follows: first, making optimal use of the available human resources by regulating the labour market; second, ensuring high levels of employment; and, third, ensuring a quantitative balance between supply and demand in the labour force and, in that way, promoting the country's economic development.

58. From 2002, the Ministry of Labour, Health and Social Welfare intends to cut back the practice of training and retraining specialists without linking such training to specific vacancies. The State employment service will undertake the vocational retraining of registered job-seekers on the basis of an analysis of the actual openings in given professions and the general state of the labour market. At the same time, particular attention will be given to the level of the vocational training centres themselves. Vocational training centres will be selected on a competitive basis through a tendering procedure. The primary requirement placed on establishments of this kind will be to train highly qualified specialists and, for this purpose, specific qualification standards for the various professions will be worked out in conjunction with the Ministry of Education. Vocational training and retraining will be primarily targeted at the potential labour resources in priority development areas whose populations have difficulty competing on the job market.

Vocational and technical training and retraining system

59. The necessary legislative framework for the formation and operation of a vocational guidance and training system in the area of human resource development is already in place in Georgia. The right to education is guaranteed by article 35 of the Constitution and the Education Act and the Elementary Vocational Educational Act spell out the State policy in this area.

60. Vocational guidance and retraining are of key importance to the conduct of a dynamic policy in the area of job placement and employment. The Ministry of Labour, Health and Social Welfare is responsible for monitoring and coordinating the vocational guidance, training and retraining of unemployed persons. Its work in this area is designed to bring the training and retraining system into line with, first, the requirements of ILO Conventions 142 and 122 and, second, the actual demand for human resources in the labour market. To that end, the Ministry is conducting the following measures:

- Developing special vocational training and retraining programmes for the unemployed;

- Identifying sources of extrabudgetary funding and raising such funds;

- Conducting the said special programmes in accordance with international standards.

61. The State employment service is responsible for determining the number of places offered for training and retraining and the type of training to be provided, in accordance with the actual demand in the labour market. The functions of the United State Employment Fund include organizing the tendering process among vocational and higher educational institutions, with a view to inviting applications for the training and retraining of the unemployed and seeking funding for such work.

62. Henceforth, all training and retraining of the unemployed must be tailored to the requirements of the labour market, which will be systematically monitored.

63. A special vocational guidance and retraining centre has been set up under the United State Employment Fund and is now in operation, organizing vocational training and retraining for the unemployed. Over the period 1996-2000 this centre catered to 1,868 unemployed persons and job-seekers, upgrading their qualifications and providing vocational training in accordance with State programmes elaborated on an annual basis.

64. Private employment agencies are also involved in the vocational training and retraining of job-seekers, including the unemployed, and in some cases their work is very successful. One example is the "Universal" professional recruitment and staffing service.

65. At the same time, it must be conceded that State policy and programmes in the domain of vocational guidance are, on the whole, very poorly coordinated with State policy and programmes in the sphere of employment. This may be attributed to the following factors: first, the limited job opportunities; second, the chaotic state of the labour market; third, the almost non-existent demand for labour; and, fourth, the virtual impossibility of accurately forecasting demand for trained personnel.

66. In its new employment bill, the Ministry of Labour, Health and Social Welfare has developed a number of standards and regulations designed to ensure a close linkage between the employment (job placement) situation, on the one hand, and vocational training, on the other. The passage of this bill will considerably promote efforts to resolve the problems described above.

67. In its concluding observations (para. 25), the Committee on Economic, Social and Cultural Rights recommended the adoption of relevant legislation to ensure that disabled persons had greater access to the labour market.

68. In that context, the following more detailed information is provided on the situation of the disabled, whose interests are safeguarded by the Disabled (Social Welfare) Act. Under this Act, the State commits itself to setting in place conditions to ensure that the creative and productive potential of persons in this category is fully realized.

69. Education, vocational training and professional development is provided for the disabled in various forms, including by correspondence education, external study, special study groups and home-based study, tailored to individual study needs. These programmes are conducted both by specialized educational establishments and those of a more general profile, enterprises and other organizations, in conjunction with the social welfare authorities. In 1999, 277 people underwent vocational training in the country's training centre for the disabled and, of these, 100 subsequently found employment. A training centre for the disabled has been opened in the town of Kutaisi, which provides training every year in a number of different professions to people in this category.

70. A job placement programme for the disabled was launched in 1997. Vocational guidance and job adaptation centres are being set up for the disabled. At the same time, however, the social and vocational rehabilitation of the disabled is seriously impeded by shortages of funds, a lack of qualified staff and management problems.

71. To complete the picture sketched out above, we provide data below on the situation in the vocational and technical education system as a whole, provided by the National Statistical Office.

72. In the 1997/98 academic year, there were 81 specialized secondary educational establishments operating in the country, catering to a total of 30,000 students. In the 1998/99 academic year, there were 83 such establishments, with more than 32,000 students. In 1999/2000, this figure had risen to 85 establishments, with some 30,000 students. These figures relate to State educational establishments. The statistics for private (fee-paying) educational establishments are as follows: 1997/98 academic year - 47 establishments, with 5,200 students; 1998/99 academic year - 58 establishments, with 7,200 students; 1999/2000 academic year - 58 establishments, with 6,800 students.

73. The following special fields are covered in the vocational and technical education system: industry and construction; transport and communications; agriculture; economics and law; health-care, physical education and sport; education; arts and cinema. In addition, a number of vocational establishments have a multidisciplinary profile. Courses in these establishments are offered on daytime, evening and correspondence programmes, while private establishments offer only daytime courses.

Persons employed in multiple jobs

74. According to sources in the Ministry of Labour, Health and Social Welfare, data of this kind are not collected in Georgia.

Changes in the labour legislation

75. No changes have been made in the legislation governing labour relations in 2000.

Role of international assistance in upholding rights under article 6 of the Covenant

76. At the level of State bodies, issues of cooperation with international organizations, including ILO, the International Organization for Migration (IMO) and others, are the responsibility of the Ministry of Labour, Health and Social Welfare.

77. Reports have been prepared for submission to ILO under ILO Conventions 29, 52, 98, 100, 105, 111, 117, 122, 138 and 142, ratified by the Georgian Parliament. At the same time, answers have been prepared to the special questionnaire from ILO regarding the need to revise recommendation No. 127, on assistance for cooperatives. This document has already been transmitted to ILO.

78. The United State Employment Fund is actively involved in international activities and projects. As examples of such activity, we might cite the following:

- Participation with ILO in the joint project on socially responsible enterprise restructuring (a comparable project was previously successfully carried out in the Russian Federation and is now being conducted in a number of other countries of the Commonwealth of Independent States);

- Participation in preparing an international conference on employment arrangements and the importance of involving employment services in international projects - specifically, the Silk Road Project, which is intended to form the basis for a new phase in cooperation among these services;

- Participation in a Swedish International Development Agency (SIDA) project to promote the employment system in Georgia through, as an initial stage, the conduct of intensive training measures.

Article 7

Primary means of determining wages

79. In the State budget sector, wages are regulated by the State on a centralized basis, while enterprises and organizations in the private sector, outside the central budget, are free to determine the forms and systems of remuneration independently, taking due account of the established minimum wage.

Minimum wage system

80. By presidential decree No. 351 of 4 June 1999, the minimum wage in Georgia was set at 20 lari (US$ 9.7), amounting to scarcely more than 17 per cent of the subsistence minimum and some 25 per cent of the average wage. The set minimum wage is compulsory for all

enterprises, organizations and institutions, irrespective of their form of ownership and their legal organizational status. In this way, the minimum wage applies to all those in employment, without distinction as to the different employment groups. Minimum wage levels have the force of law, since the setting of such levels is proscribed by the Code of Labour Legislation and the specific levels are ratified by presidential decree.

81. Under the Subsistence Minimum (Calculation Procedure) Act, the level of the subsistence minimum is factored into the level of the minimum wage. Should, as a result of consumer inflation, the level of the minimum wage decline relative to that of the subsistence minimum, the minimum wage must be reviewed, from time to time.

82. Monitoring of the minimum wage system is the responsibility in Georgia of the Tax Inspectorate and the Labour Inspectorate.

Level of the minimum wage

83. Notwithstanding certain positive developments over the last few years in the prospects for the country's economic growth, the level of wages is still not properly correlated with real economic factors.

84. As things stand today, wages, as a measure of the value of labour, are out of step with the real cost of living and insufficient even to maintain the existing level of capital stock, let alone to provide for any increase. Suffice it to note that, as of December 2000, the average wage measured 61.8 per cent of the average consumer's subsistence minimum, while the minimum wage constituted a mere 20 per cent of this indicator.

85. Wages are so low that they constitute no more than 34.5 per cent of total income, falling significantly below the critical level (60 per cent). As a result, efforts to restore job motivation in Georgia are making extremely slow progress.

86. Statistics show a 47.3 per cent growth in the average wage over the period 1997-2000 and a 48.1 per cent growth in the minimum wage. These trends may be seen more clearly in the following table:

Years	**Subsistence minimum for able-bodied men (lari)**	**Average wage (lari)**	**Minimum wage (lari)**	**Average wage as percentage of subsistence minimum**	**Minimum wage as percentage of subsistence minimum**	**Minimum wage as percentage of average wage**
1997	104	54.9	13.5	52.8	13.0	24.6
1998	101.5	55.2	17.3	54.5	17.0	31.3
1999	115.8	67.5	20	58.3	17.3	29.6
2000	115.3	80.9	20	70.2	17.3	24.7

Equality between the sexes in salaries and wages

87. Under the Code of Labour Legislation (art. 75, para. 2), in the payment of wages or salaries no restrictions may be made on discriminatory grounds, including on the basis of sex.

88. The average monthly wage in various sectors of the economy is 55.4 lari for women and 111.6 lari for men. The difference in the men's and women's earnings is due, according to the Ministry of Labour, Health and Social Welfare, not to discrimination but to the fact that, for the most part, women are employed in low-paying jobs while most management situations and jobs in business are held by men.

89. Accordingly, it would appear that the problems which, in this regard, roused the concern of the Committee on Economic, Social and Cultural Rights (paras. 13 and 14) have by and large not yet been overcome. Further information on this matter may be found in the initial report under the Convention on the Elimination of All Forms of Racial Discrimination (paras. 214 and 215).

Distribution of income among those employed in the State and private sectors

90. With the transition to a market economy and the resulting economic situation in the country there have also been changes in the structure of earnings. Household surveys have shown that, in 2000, the average monthly income per household was 174.8 lari. The share of total household income from hired labour was 25.1 per cent, and that of non-monetary income - 22.7 per cent. More than half - 52.5 per cent - of household revenues come from the rental of property, assistance from relatives, the sale of agricultural produce, etc.

91. In 2000 average expenditure per household, with a total income of 174.8 lari, was 262 lari per month. Comparing wages and salaries in the State and private sectors, data for 2000 show that the average wage in the private sector was 98.3 lari, as against a mere 56.7 lari in the State sector.

92. Further information on the right to just remuneration may be found in Georgia's initial report under the International Convention on the Elimination of All Forms of Racial Discrimination (paras. 205-207).

Minimum working conditions

93. Minimum working conditions are set for the country as a whole by the Code of Labour Legislation, and are determined for specific jobs by the labour contracts and collective agreements concluded by enterprises and organizations with their employees. Supervision of minimum working conditions is the responsibility of the Labour Inspectorate. Compliance with the standards set by the Code of Labour Legislation is mandatory for all enterprises and organizations in Georgia, irrespective of their legal organizational status or form of ownership.

94. According to data from the State Labour Inspectorate, 31 accidents at work were reported in 2000; these resulted in the deaths of 29 people and injuries of varying degrees to a

further 6 people. Fatal accidents were attributed to the following causes: 7 to electrocution, 6 to burns, 6 to falling from heights, 8 to machinery, and 2 to accidents involving motor vehicles. In general, the available data point to a downward trend in the number of accidents at work.

Equal opportunities for career advancement

95. Article 29 of the Georgian Constitution guarantees the right of every citizen to occupy any State position, provided he or she satisfies the requirements set by law therefor.

96. Under article 77 of the Public Service Act, for public servants to be promoted, they must first, have occupied their current position for not less than six months and, second, have been nominated for promotion by the appropriate promotions board. When several candidates are being considered for promotion to the same position, preference shall be given to the candidate who receives higher marks from the assessment panel. This procedure does not apply to support staff.

97. In response to the observation by the Committee on Economic, Social and Cultural Rights in paragraph 13, we refer also to the country's second periodic reports under the International Covenant on Civil and Political Rights (para. 57) and the Convention on the Elimination of All Forms of Discrimination against Women (paras. 66 and 69). As for the Committee's observations in paragraphs 14 and 15, information on this matter may also be found in the second periodic report under the Convention on the Elimination of All Forms of Discrimination against Women (paras. 4, 7-17, 23-29, 39, 42 and 43).

98. In general, it should be noted that the representation of women at decision-making levels and in senior public service posts remains unsatisfactory.

Favourable conditions for work, leisure and recreation

99. For information on this issue, we refer to the country's initial report under the International Convention on the Elimination of All Forms of Racial Discrimination (paras. 198-201).

Article 8

100. Information on trade union rights, as established by article 8 of the Covenant, may be found in Georgia's initial report under the International Convention on the Elimination of All Forms of Racial Discrimination (paras. 216-220) and its second periodic report under the International Covenant on Civil and Political Rights (paras. 492-500).

Article 9

Social insurance in Georgia

101. Georgia has a range of programmes providing social support for different categories of the population, as will be described below. An overall picture of the categories and numbers of

persons receiving benefits and the level of such benefits can be seen from data provided by the National Statistical Office, presented in tabular form below. Figures represent the situation at the end of the year, in thousands of people.

	1997	1998	1999
Total number receiving benefits	979.4	967.4	923.7
Type of benefits received:			
Employment pensions	878.2	860.5	814.2
Of which, old age pensions	768.9	665.3	620.3
Disability pensions, occupational pensions or general sickness benefits	138.1	136.6	129.1
Social benefits	69.3	71.0	71.7
Loss-of-breadwinner pensions	72.0	50.8	53.2
Pensions paid to war veterans from the Social Security Fund	31.9	31.0	29.1
Special service pensions	9.4	5.0	8.4
Average monthly level of pensions (in lari)	11.1	15.0	14.0

102. Persons who are not entitled to a pension because of insufficient pensionable service or lack of pensionable service grade, also receive State support on reaching a specified age (65 for men and 60 for women): they receive a social benefit of 14 lari. These social benefits may also be paid to persons in other categories. The following table shows the categories and numbers of persons receiving such benefits:

Type of benefit	Years		
	1997	1998	1999
For old age	26 843	25 616	23 701
For disability	8 804	13 377	13 144
For loss of breadwinner	4 862	4 862	7 879
For disability from childhood	17 159	17 810	18 744
For disabled children (up to the age of 16)	7 382	7 665	8 264

103. In 1997, Georgia introduced social (family) benefits as a form of material assistance provided by the State for certain categories of socially disadvantaged people. This support is provided through a special State programme.

104. In 1997, support of this kind was provided to people in the following categories: old age pensioners living on their pensions alone; families of pensioners raising young children whose parents live elsewhere and are unemployed; and urban families whose members are unemployed and registered with employment centres.

105. In 1998 the programme was revised to cover only pensioners living on their pensions alone and minor children supported by them with no legally responsible provider.

106. Then, in 1999 the programme was extended, to include both orphaned children and guardians with disability status. With effect from 2000, orphaned children are entitled to benefits irrespective of their guardians' capacity to work. The level of such benefits differs in accordance with the size of the family.

107. Further statistical information on this topic is provided below.

108. In 1997, the following total numbers of benefits were paid (monetary value shown in brackets):

- Families of pensioners without employment and living on their pensions alone - 87,987 (9 lari per person);
- Families whose members are unable to work - 46,598 (112,147 people; 7.2 lari per person);
- Urban families, all members of which are unemployed - 174,012 (348,802 people; 5.4 lari per person).

109. In 1998 the following total numbers of benefits were paid:

- Families of pensioners without employment living on their pensions alone - 45,619 (9 lari), including 6,140 two-member families (12,280 people; 7 lari per person); 1,777 families of three and more (6,246 people; 5 lari per person).

110. In 1999, the following total numbers of benefits were paid:

- Families of pensioners without employment living on their pensions alone - 48,743, including 40,640 one-member households (18 lari); 8,103 families of two and more members (18,571 people; 29 lari per family).

111. In 2000, the following total numbers of benefits were paid:

- Families of pensioners without employment living on their pensions alone - 44,874, including 38,020 one-member households (20 lari); 6,160 families of two and more members (14,442 persons; 32 lari per family);
- Orphaned children - 694 families (1,013 people; 20 lari per child).

112. To fund this programme, allocations were made as follows from the central budget: 15,880,000 lari in 1997; 14,400,000 lari in 1998; 14,300,000 lari in 1999; and 13,300,000 in 2000.

113. A medical insurance programme has been set up to provide social support for the more vulnerable sectors of the population. The programme covers the following categories:

- Pensioners living on their pensions alone, without employment and unable to work, or families of pensioners (spouses, brothers and sisters, parents and children) with no legally responsible provider;

- Pensioners living on their pensions alone, without employment and unable to work, or families of pensioners with no legally responsible provider who support dependent minor orphaned children;
- Single mothers, supporting minor children;
- Merit pensioners (persons receiving pensions for meritorious service to the State);
- Persons who assisted in the clearing-up work after the accident at the Chernobyl nuclear power plant and their family members;
- Persons suffering from the effects of poisoning after the events of 9 April 1989;
- Persons certified as victims of political repression;
- Coal-miners who have received employment injuries or suffered occupational diseases leading to disability;
- Beneficiaries under the social (family) benefits programme;
- Persons incurring disability in defending the territorial integrity of Georgia;
- Veterans of the Second World War.

114. In all, some 400,000 persons in the above categories are covered by the medical insurance programme. In addition, under the programme medical assistance is provided to pensioners in the category of forcibly displaced persons and to children up to the age of 15.

115. There are special State programmes for the social welfare of the disabled, covering the period 2000-2001.

Expenditure on social security

116. According to data from the National Statistical Office, the relevant figures in the State budget are as follows:

	Income (lari)	**Expenditure** (lari)
1997	593 300 000	767 800 000
1998	621 900 000	797 300 000
1999	650 200 000	904 800 000

117. Data from the Ministry of Finance and the Budget Office of the Georgian Parliament show the following expenditure on social welfare and insurance over the same period: 1997 - US$ 146,100,000 (or 191.09 million lari at the exchange rate of

US$ 1 = 1.309 lari, set by the National Statistical Office); 1998 - US$ 154.3 million (or 239.16 million lari, at the rate US$ 1 = 1.55 lari); 1999 - US$ 123.5 million (or 240.7 million lari, at the rate US$ 1 = 1.949 lari).

118. Accordingly, the share of expenditure on social security and insurance in Georgia has been as follows: in 1997 - around 24.6 per cent; in 1998 - around 30 per cent; and in 1999, around 26.6 per cent of budgetary outlay.

119. Measured as a proportion of GDP, in 1999, expenditure on social security and welfare constituted 3 per cent, according to data in the UNDP National Human Development Report 2000 for Georgia, compiled on the basis of World Bank sources, information in the Budget Office of Parliament and Georgia's report on the State budget administered for 1999. Data for previous years are not available.

120. According to data from the Ministry of Finance and the Budget Office of Parliament, a total of 273.4 million lari has been earmarked for social security and insurance needs in 2000.

Private social security programmes

121. Alongside the State social security programmes, private humanitarian programmes are also in operation in Georgia, run both by local and international non-governmental organizations. Not only do these provide food, used clothing and other household items, but some, such as the United States Agency for International Development (USAID), also provide assistance to the most needy sectors with the supply of electrical power.

122. There are no social groups in Georgia who would be excluded from the social security system. At the same time, the level of such social security benefits is not sufficient to ensure the welfare of its beneficiaries. To address this deficiency, the following measures were adopted last year:

- On 1 July 2000, the Georgian President issued an order on organizational measures to facilitate the development of programmes to overcome poverty and promote economic growth in Georgia and, to implement the order, a government commission was set up headed by the President;

- Based on the outcome of the work of this commission, on 30 November 2000, the President issued an order ratifying the interim text of the national programme to combat poverty and promote economic growth. Under this order, the relevant subcommissions of the government commission were tasked with developing relevant areas of the national programme by 1 April 2001, with the participation of civil society.

In cooperation with the World Bank, a special communications strategy has been developed, covering both the provision of information and educational measures, to ensure that close contacts are developed with civil society and that people are kept fully informed about this new initiative. The interim text of the national programme has already been submitted for consideration by international donor organizations.

123. The above information may be taken as a response to the concerns of the Committee on Economic, Social and Cultural Rights, expressed in paragraph 8 of its concluding observations. As pointed out by the Georgian President in his statement on 28 November 2000 to members of the government commission, "Successful implementation of the programme to combat poverty and to promote economic growth should lead to a strong economic upturn. In these first years of the third millennium, the Georgian people should have decent living conditions and proper social guarantees".

124. More information on the issues covered by this article of the Covenant may also be found in the country's initial report under the International Convention on the Elimination of All Forms of Racial Discrimination (paras. 238-252).

Article 10

Marriage and the family

125. As noted above, in 2000 Georgia submitted its initial report under the International Convention on the Elimination of All Forms of Racial Discrimination and its second periodic report under the International Covenant on Civil and Political Rights to the relevant United Nations treaty bodies. These reports explore the problems covered by this article of the Covenant. Accordingly, attention is drawn to the corresponding paragraphs of those reports.

126. With regard to the concept of the "family" and its meaning, see paragraph 418 of the report under the International Covenant on Civil and Political Rights.

127. For information on the issue of majority age, see paragraphs 520, 521 and 523 of the same report.

128. Information on issues relating to protection of the family and family assistance may also be found in paragraphs 501-513 and 516 of that report and in paragraphs 138-144 of the report under the International Convention on the Elimination of All Forms of Racial Discrimination.

129. Further statistics on this issue are provided below.

130. In 1999, there were 13,800 marriages and 1,600 divorces, or 3.9 marriages and 0.4 divorces per 1,000 people. The average length of marriage before divorce was 11.5 years. Analysis of the figures shows a steady decline both in the number of marriages and (to a lesser extent) of divorces over the last five years, both in absolute terms and relative to the number of people.

Average age at first marriage

Years	Men	Women
1995	27.2	23.7
1996	27.3	23.8
1997	27.8	24.0
1998	28.0	24.4
1999	28.3	24.6

131. As the above table shows, there has been a steady increase in the age at which people - both men and women - enter into their first marriage. Over the period 1980-1982, however, the reverse obtained: the age of first marriages became slowly, but steadily, younger.

System for the protection of mothers

132. The information provided in the initial report on the system for the protection of mothers (paras. 136-138) remains relevant. There have been no changes in the system over the reporting period; it continues to provide equal protection to all groups of women represented in Georgian society.

Protection of children and adolescents from economic exploitation

133. For information on the age limits below which the paid employment of child labour is prohibited in Georgia, see paragraph 523 of the country's second periodic report under the International Covenant on Civil and Political Rights and paragraph 30 of its initial report under the Convention on the Rights of the Child.

134. In 1999-2000, the National Statistical Office made a study of the labour activities of children of an economically active age (7-17 years). The findings of the study show that 4.5 per cent of the country's total child population are engaged in some form of economic activity: 50.9 per cent work in the home or family business, 39.5 per cent are only engaged in study, 5.1 per cent do not go to school, and 1.4 per cent neither go to school nor work.

135. In all, there are 829,600 children between the ages of 7 and 17. Broken down by age groups, the figures are as follows: 7-8 years - 141,200 children (17 per cent); 9-11 years - 214,000 children (25.8 per cent); 12-14 years - 237,800 children (28.7 per cent); 15-17 years - 236,600 children (28.5 per cent).

136. By sexes, 49 per cent of children are girls (406,900) and 51 per cent (422,700) boys.

137. Among children aged 15-17 (15 being the lowest age at which a child may enter into labour relations), 7.66 per cent are engaged in economic activity, 61.9 per cent work in the home or family business and 14.1 per cent do not attend school. Broken down by sex, these figures are as follows:

Boys: 5.2%; 41.1%; 5.2%;

Girls: 3.8%; 61.1%; 3.8%

138. By economic sectors, the number of children in employment is as follows: 70.3 per cent are employed in agriculture; 3.6 per cent in processing industries; 1.4 per cent in construction; 15.2 per cent in technical servicing; 1.2 per cent in the transport and communications sector; 0.5 per cent in education; 7.8 per cent in other spheres.

139. The average working day for children in employment is 5.8 hours.

140. No groups of children and adolescents in Georgia are excluded from protection and assistance measures. Fairly comprehensive information on the topic of special protection measures for specific groups of children may be found in the country's initial report under the Convention on the Rights of the Child and also in its written replies of April 2000 to the list of issues prepared by the Committee on the Rights of the Child.

141. In addition to the above, attention is also drawn to Georgia's second periodic report under the International Covenant on Civil and Political Rights, paragraphs 525-530.

Article 11

Standard of living

142. In December 2000, based on average prices, the subsistence minimum in Georgian towns, calculated by standards valid for that period, was as follows: for men of an employable age - 104.5 lari, for the average consumer - 100.4 lari, for the average family - 199.2 lari. For different types of family, the subsistence minimum, calculated on this basis, has fluctuated as follows:

Family	One member	Two members	Three members	Four members	Five members	Six and more members
December 1999	96.7	154.8	174.1	193.5	217.6	301.8
2000						
January	103.4	165.5	186.2	206.9	232.7	322.7
February	104.0	166.3	186.1	207.9	233.9	324.4
March	102.2	163.5	183.9	204.4	229.9	318.8
April	103.3	165.3	186.0	206.6	232.5	322.4
May	100.5	160.8	180.9	201.1	226.2	313.6
June	99.0	158.3	178.1	197.9	222.7	308.8
July	96.1	153.8	175.0	192.2	216.2	299.8

Family	One member	Two members	Three members	Four members	Five members	Six and more members
August	98.5	157.5	177.2	196.9	221.5	307.2
September	99.3	158.9	178.8	198.7	223.5	309.9
October	100.4	160.7	180.8	200.9	226.0	313.3
November	101.7	162.7	183.1	203.4	228.8	317.3
December	100.4	160.7	180.8	200.9	226.0	313.4

143. The subsistence minimum in the capital, Tbilisi, is 4 per cent higher than the average level for the country as a whole.

144. The standard minimum wage, in other words, the wage which, in the conditions which have emerged over the recent past, would be sufficient, alongside other income, to ensure that a four-member family could live within its budget at the subsistence minimum level, was calculated as 43.5 lari per person in employment (December 2000). The minimum wage (20 lari) amounts to 43.9 per cent of that standard wage.

145. Accordingly, it has not yet been possible for Georgia to fulfil the recommendation of the Committee on Economic, Social and Cultural Rights (para. 23), urging the State party "to take adequate measures to ensure that the minimum wage is sufficient to meet the basic needs of the wage earner and his or her family".

146. As already noted earlier in this report, the Georgian Government, with the broad support of civil society, has developed the interim draft of a programme to combat poverty and to promote economic growth. The main goals of this programme are, in addition to those proclaimed in its title, to improve the social conditions and to raise the standard of living of the population, and to promote the participation in the country's development of the poorer sectors of the population. The programme sets firm timelines for the performance of its main planned tasks and establishes arrangements for follow-up monitoring. The draft has been submitted to the International Monetary Fund (IMF) and the World Bank and has also been sent to other donor organizations (see the attachments to the present report).

147. The following table shows income statistics for the period 1995-1999.

Indicator	Unit	1995	1996	1997	1998	1999
Monetary income of the population	millions of lari	1 164.0	2 500.0	1 800.0	1 751.8	1 723.7
Monetary spending of the population	millions of lari	1 077.0	2 454.6	2 390.0	2 534.6	2 677.2
Average wage	lari	13.6	29.0	42.5	127.6	114.4
Increase in actual monthly earnings	%	134.4	152.9	139.8	123.2	103.6
Minimum consumption basket	lari	41.3	47.7	182.7	183.9	193.5
Minimum food basket	lari	28.9	33.4	128 0	128.7	135.5

Right to adequate food

148. Information on ensuring this right, as provided by the Ministry of Agriculture and Food Production, is set out below. According to information from the Ministry, official and up-to-date figures from the National Statistical Office were used in preparing this table.

149. According to data reflecting the situation at the end of 2000, 1,643 enterprises were registered as economically active in the food and beverage production and tobacco processing sectors. In 2000, production volumes in this sector measured 298 million lari in comparable prices.

150. The following table presents statistics on food production for which accounts have been kept, expressed in physical terms, for the period 1997-2000.

No.	Product	Unit	1997	1998	1999	2000
1.	Packaged tea	ton	6 303	2 956	2 648	2 031
2.	Tea from primary processing	ton	9 274	9 989	12 898	4 949
3.	Green tea in tea bricks	ton	1 249	1 915	1 861	1 110
4.	Wine and wine products	thousand dcl	2 883.0	2 304.0	1 939.0	1 816.0
5.	Brandy	thousand dcl	78.1	37.8	31.1	70.6
6.	Vodka and other spirits	thousand dcl	276.0	112.7	463.8	430.1
7.	Sparkling wine	thousand bottles	133.4	40.3	66.9	87.9
8.	Cigarettes	million cigarettes	917	601	1 327	285
9.	Fermented tobacco	ton	318	-	791	161
10.	Confectionery	ton	234	276	154	143
11.	Granulated sugar	ton	19 695	-	20 012	35 282
12.	Mineral water	thousand bottles	66 443	61 286	49 662	72 265
13.	Other drinking water	thousand bottles	865	7 462	3 248	8 186
14.	Beer	thousand bottles	783	971	1 257	2 345
15.	Non-alcoholic beverages	thousand bottles	4 031	2 903	2 195	2 867
16.	Fruit and vegetable preserves	thousand tins and jars	9 078	2 943	6 626	4 625
17.	Category I meat (with by-products)	ton	39	178	6	9
18.	Whole milk products	ton	5 354	6 639	4 587	3 739

No.	Product		1997	1998	1999	2000
19.	Fatty cheeses and other white cheeses	ton	132	47	92	65
20.	Butter	ton	887	265	1 490	812
21.	Sausages	ton	898	1 152	1 422	906
22.	Fish products (including canned)	ton	107	15.9	3.1	62
23.	Vegetable oil, total	ton	830	542	476	189
24.	Bread and bread products	thousand tons	297.9	172.5	113.6	109.4
25.	Flour, total	thousand tons	180.2	147.6	114.4	101.4
26.	Pasta products	ton	344	860	470	270

151. As can be seen from the table, the temporary halt in the decline of production at the beginning of the economic reform process (1997) did not, unfortunately, become a general trend. In 2000, as compared to 1997, an increase in production levels was recorded in only 4 of the 26 food product categories (vodka and other spirits, sugar, mineral water and beer). In any event, the level of production for which accounts are kept is extremely low on all counts, for a number of general reasons of a legal, financial and social nature.

152. To give a more complete picture of measures in the country to uphold the right to adequate food, we provide below the basic indicators on the export and import of food products over the period 1997-2000 (in tons).

Product category	1997		1998		1999		2000	
	Import	Export	Import	Export	Import	Export	Import	Export
Grains	300 811	-	222 623	11 728	162 410	10 594	202 250	6 952
Flour	126 540	1 792	95 815	1 688	85 845	3 510	130 666	9 648
Meat	10 396	381	25 252	-	20 782	22 995	17 520	549
Milk and dairy products	1 943	15	1 960	-	1 112	16.7	556	36.2
Butter	2 837	78	4 151	262	2 900	109	1 927	-
Cheese	70	-	50	-	68	2.5	927	1
Fish and fish products	4 259	1 409	7 160	126	4 532	2 638	2 570	103
Vegetable oil	3 377	74	12 244	6	2 578	18	5 389	6
Margarine	-	-	30	3 993	3 891	37	4 090	50
Sugar	99 635	300	69 252	6 142	77 370	7 950	74 159	10 471
Fruit	1 236	27 000	1 521	32 000	1 232	13 607	7 092	14 001
Vegetables	6 036	177	7 836	342	2 212	624	2 374	697
Potatoes	21 612	532	12 579	141	9 065	361.6	4 807	99
Fruit and vegetable preserves	5 348	3 030	2 381	4 284	2 038	4 082	2 647	2 653
Confectionery	9 361	129	10 549	4 780	1 097	15	2 604	28
Tea	400	15 007	4 010	10 060	2 917	14 322	661	9 023

153. In monetary terms, import and export levels of food products may be expressed as follows (in millions of US$):

1997: exports - 79.4; imports - 326.8; balance - minus 247.4

1998: exports - 69.8 ; imports - 168.5 ; balance - minus 98.7

1999: exports - 66.2; imports - 138 ; balance - minus 71.8

2000: exports - 94.8; imports - 163.2 ; balance - minus 68.4

154. The reasons for this situation may be sought both in the failure to develop the country's traditional export potential and in the chronic stagnation of its economic activity.

Public food supply

155. As the statistics cited above indicate, local producers satisfy most of the public's requirements in terms of fruit, vegetables, tea and potatoes. The situation as regards butter, cheese and vegetable oil is much less satisfactory. Virtually all industrially processed meat products, milk and dairy products, and confectionery are imported.

156. In assessing this issue, some statistical data on per capita consumption of staple foods in the period 1997-1999 might prove enlightening. For the purposes of comparison, data for 1985 and forecasts for 2005 (in kilograms) have been included in the following table.

No.	Foodstuff (type)	1985	1997	1998	1999	2005
		Actual consumption	Actual consumption	Actual consumption	Actual consumption	Forecast consumption
1.	Cereal products, total (recalculated as flour)	190	154.2	151.4	141.1	126
2.	Vegetables, melons and gourds	87	93.4	58.8	55.2	141
3.	Fruits, total	67	60.2	57.8	43.5	92
4.	Sugar, total (including confectionery and fruit preserves)	43.5	23.6	25.0	24.8	34.5
5.	Meat and canned meats, total	47	15.6	20.8	19.8	75
6.	Fish and canned fish, total	9.1	1.4	1.8	-	12.8
7.	Milk and dairy products, total (recalculated as milk)	309	217.8	202.5	209	359

157. These statistics indicate that, in nearly all cases, food consumption has decreased in real terms during the reporting period.

158. In this connection it should be noted that large sections of the population are ill-informed about the principles of healthy eating, since efforts to raise awareness of this issue have been timid to say the least. Such is the opinion of the Ministry of Labour, Health and Social Welfare.

159. Turning to the measures which the Government considers necessary to ensure an adequate food supply to the most vulnerable population sectors, it should be remarked that the issue of food security is closely bound up with the growth of employment, incomes and assets.

160. Accordingly, the Ministry of Agriculture and Food Production considers it necessary to focus attention on the following areas:

- Definition of priorities in the country's economic and trade policy;
- Support for relevant sectors of the economy in order to boost the supply of locally produced food to the public;
- Poverty reduction through growth in real employment;
- Minimization of the shadow economy and State subsidies;
- Optimization of taxation and customs tariffs.

161. Presidential decree No. 26 approving the priorities of the national programme for food security (26 January 2000) lays down the principal measures which the Government must take to achieve this end.

162. In this connection, statistics concerning the apportionment of incoming food aid by the Ministry of Agriculture and Food Production during the period 1997-2000 (in tons) should be cited.

No.	Foodstuff and year	Received (tons)	Apportioned by Presidential Order					
			For winter needs of the population in the Kodor Gorge	For displaced persons	For the Ministry of Defence	For publicly funded and other organizations	Sold on the stock market (to supplement budget)	Spoiled and written off pursuant to decision by board of inspection
	1997							
1.	Wheat	8 576	-	-	-	-	8 576	-
	1998							
1.	Rice	1 193.3	-	487	-	304.3	401	1.3
2.	Potato starch	125	-	60	-	64.5	-	0.5
3.	Vegetable oil	5 978	-	68.7	-	-	3 074	29.5

No.	Foodstuff and year	Received (tons)	Apportioned by Presidential Order					
			For winter needs of the population in the Kodor Gorge	For displaced persons	For the Ministry of Defence	For publicly funded and other organizations	Sold on the stock market (to supplement budget)	Spoiled and written off pursuant to decision by board of inspection
	1999							
1.	Wheat	36 060	-	5 000	-	140	30 920	-
	2000							
1.	Wheat[1]	40 676	-	-	-	-	-	-
2.	Canned meat[2]	587.6	-	-	-	-	228	-
3.	Flour[3]	20	-	-	-	-	-	-
4.	Vegetable oil[3]	10	-	-	-	-	-	-
5.	Beans[3]	10	-	-	-	-	-	-

[1] 5,676 tons of planting stock provided by the Food and Agriculture Organization of the United Nations (FAO) for drought-affected populations.

[2] 216.8 tons ordered by the President to be sold off to pay FAO membership contributions and meet the overhead costs of the Georgian delegation's offices at FAO headquarters, etc.

[3] Humanitarian assistance from the Turkish Red Crescent Society, apportioned by order of the President.

Measures to implement agrarian reform

163. Details of the agrarian reform in Georgia are contained in the Government's written replies to the list of issues formulated by the Committee on Economic, Social and Cultural Rights in connection with its consideration of the initial report of Georgia (HR/CESCR/None/1999/15), specifically the reply to question 15.

164. In addition, according to the latest available data, 1,039,600 households have acquired ownership of 930,000 hectares of agricultural land, i.e., an average of 0.9 hectares per household. The most recent statistics show that a total of 957,500 hectares of State-owned land has been leased. A total of 36,000 natural and 6,300 legal persons have become lessees. Each natural person has leased an average of 9.3 hectares of land, and each legal person 97.8 hectares. Overall, 1,719,600 hectares of agricultural land (57 per cent of the total) has been signed into private ownership or leased. This includes 704,300 hectares of arable land (89.1 per cent of all land in this category); 215,100 hectares of permanent plantations (79.6 per cent); 100,600 hectares of meadowland (79.6 per cent); and 680,200 hectares of rangeland (37.9 per cent). It is the view of the Ministry of Agriculture and Food Production that public food supply has improved noticeably as a result of these measures.

Right to adequate housing

165. For the definition of "housing", see Georgia's second periodic report under the International Covenant on Civil and Political Rights (para. 419).

166. For an account of legislative guarantees of the right to housing, see the country's initial report under the International Convention on the Elimination of All Forms of Racial Discrimination (paras. 221-230). This report also contains statistical data (para. 231) and a brief assessment of the current housing situation in Georgia (para. 232).

167. The Ministry of Town Planning and Construction and the Ministry of Justice have provided additional information of relevance to the right to adequate housing, and this is reproduced below.

168. According to current statistics, Georgia has 101.5 million m^2 of housing stock. Of this,

- 18.5 million m^2 is owned by local authorities (municipal housing), of which 15 million m^2 or 280,000 apartments have been privatized;
- 4.5 million m^2 is owned by administrative or economic entities, with 2 million m^2 or 34,000 apartments privatized;
- 4.5 million m^2 belongs to building and loan associations, with 2.8 million m^2 or 32,000 apartments privatized;
- 74 million m^2 of housing is privately owned, 20 million m^2 in the towns and 54 million m^2 in the countryside.

169. Of the current housing stock, 24 million m^2 or 9,000 buildings are technically substandard and 1,200 buildings have been condemned. The estimated cost of upgrading Georgia's housing stock is 750 million lari.

170. In the period 1997-2000, 71,500 m^2 of new housing was built with public funds and 490,000 m^2 by private contractors.

171. The following statistics refer to the provision of amenities in current housing stock:

- 97.5 per cent of homes have a water supply;
- 94.6 per cent have sewerage;
- 86.2 per cent have a bathroom;
- 55.5 per cent were provided with hot water;
- 98 per cent were provided with central heating;

- 76 per cent are supplied with natural gas;

- 12 per cent have electric cooking facilities.

172. By way of commentary to these statistics, it should be borne in mind that, owing to the difficult economic climate in Georgia, practically the entire national housing stock lacks hot water and central heating at the present time.

173. More detailed information about access to clean water and sewerage appears below in the section of the report devoted to health-care issues.

174. According to information available to the authorities, some 110,500 families or approximately 386,750 people are currently homeless. Overall, 20.5 million m^2 of housing stock or 20.2 per cent of the total is dilapidated, unsafe, needing repair, or lacking amenities, yet is home to 1,138,800 people.

175. Approximately 26,000 people are classified as living in "unlawful" housing. Under a decision of the Georgian Council of Ministers adopted back in 1983, and as amended in 1994 by decision of the Georgian Prime Minister, local authorities have the legal right to register "unlawful" buildings that were erected by private individuals prior to March 1994.

176. Residential construction projects are currently handled by public and private corporations or by individual contractors. Provided the necessary permit is obtained, no obstacles are placed in their way. Construction projects are financed from various sources, but private construction companies are not publicly funded and commonly make use of bank loans (unless they invest their own capital).

177. In the light of the foregoing, it is clear that the provision of housing to socially disadvantaged population groups is a very serious problem. Pursuant to the national programme to combat poverty and promote economic growth (already mentioned above in the relevant section of the report), the Ministry of Town Planning and Construction has drawn up a draft national housing programme. As part of the World Bank's technical assistance programme, experts from that organization have been involved in drawing up a housing reform programme. Implementation of this programme, however, has stalled, for want of funding.

Statutes and regulations to secure the application of the right to adequate housing

178. As noted above, details of the statutes outlining the right to housing in substantive terms can be found in Georgia's initial report under the International Convention on the Elimination of All Forms of Racial Discrimination. The following additional points should also be noted.

179. According to the Ministry of Justice, questions relating to land-use, the division and designation of land, zoning, the maximum price of land, and compensation for expropriation, are governed by the following statutes:

- Agricultural Land (Ownership) Act (22 March 1996);

- Conversion of Agricultural Land to Non-Agricultural Use (Development and Compensation for Value and Losses) Act (2 October 1997);

- State-Owned Non-Agricultural Land (Management and Disposal) Act (28 October 1998);

- Use of Non-Agricultural Land by Natural and Legal Persons in Private Law (Declaration of Private Ownership) Act (28 October 1998);

- Land Plots and Associated Immovable Property (State Registration Fees) Act (30 April 1999);

- Essential Public Needs (Expropriation of Property) Act (23 July 1999);

- Land Registration Act (14 November 1996).

180. Under article 160 of the Georgian Criminal Code it is a criminal offence to infringe the inviolability of the home or of other possessions. Pursuant to an Order of the Minister of Town Planning and Construction promulgated in February 2001, all building standards and regulations drawn up and ratified prior to 1992 and all other relevant statutes and regulations which do not conflict with Georgian law or international treaties to which Georgia is a party shall remain in force. It should be noted, however, that the work of drafting new statutes and regulations for this sector is considerably complicated by the lack of budget funding. Soviet-era statutes and regulations are in many respects no longer suited to modern requirements.

181. The regulatory side of economic planning and public health requirements in populated areas is dealt with under the following statutes:

- Construction Projects (Comprehensive State Studies and Approval) Act (16 April 1996);

- Planning Permission Act (9 September 1999);

- Construction Act (27 October 2000);

- Environmental Impact Studies Act (15 October 1996).

Evictions

182. The law stipulates that evictions must be ordered by the courts, thereby virtually excluding the possibility of arbitrary eviction. In practical terms, assuming the existence of a relevant judicial decision, matters relating to eviction are covered by article 90 of the Enforcement Proceedings Act, under which the person facing eviction is accorded a period (not exceeding one month) voluntarily to comply with the decision of the court. The evictee must pay all eviction costs. Should any procedural violations occur during the eviction process, article 18 of the Act stipulates that the parties are entitled to appeal against the actions of the bailiff through the courts within one month of the institution of enforcement proceedings.

183. According to information supplied by the Ministry of Justice, district enforcement offices handled 333 enforcement actions involving eviction in the course of 2000. Of this total, 234 eviction orders were executed, 18 eviction notices were returned to the originator of the eviction proceedings (following successful mediation of the dispute) and in 3 cases the eviction notice was directed to the proper quarter.

Measures due for implementation to ensure the right to adequate housing

184. In its concluding observations, the Committee on Economic, Social and Cultural Rights called upon Georgia to take appropriate measures to create conditions that would allow internally displaced persons to return to their places of origin (para. 29). Unfortunately, we have to report that, given the lack of a political solution to the conflicts alluded to in the initial report, Georgia has been unable to comply with this particular recommendation of the Committee during the reporting period.

185. The Ministry of Town Planning and Construction considers the improvement of the legislative framework to be an essential step in addressing the problems which impede the realization of the right to housing and the construction of living accommodation. To this end, the Ministry has prepared a bill on condominiums, which it has submitted to the Government for its consideration. Other bills on town planning and a draft enactment on building regulations for Tbilisi have been prepared and are currently at the consultation stage.

Budget of the Ministry of Town Planning and Construction

186. The Ministry is allocated funds from the State budget, the money being used to maintain the central administration and to cover running expenses. The ministerial budget is modest: for 2001 it was set at 235,400 lari, or 0.026 per cent of the expenditure section of the central State budget.

Article 12

Physical and mental health of the population

187. The health of the Georgian population and the need to improve general health standards are high priorities for the Government. This is illustrated by the fact that the 1999 national report on public health in Georgia prepared by the Ministry of Labour, Health and Social Welfare was examined by the National Security Council chaired by the President in March 2001.

188. The table below shows the principal public health indicators in Georgia.

Death rates by age

	Death rate per 1,000, by age				
	1990	**1996**	**1997**	**1998**	**1999**
Total population	8.5	6.4	7.0	7.3	7.9
Of which aged:					
0-4	4.1	3.5	3.5	3.1	3.2
5-9	0.3	0.2	0.2	0.2	0.2
10-14	0.3	0.1	0.1	0.2	0.2
15-19	0.6	0.3	0.3	0.4	0.4
20-24	1.0	0.6	0.6	0.7	0.6
25-29	1.3	0.9	0.9	0.9	0.9
30-34	1.6	1.2	1.3	1.2	1.2
35-39	2.2	1.7	1.9	1.8	1.8
40-44	3.2	2.6	2.5	2.6	2.6
45-49	5.0	3.4	3.4	3.5	3.6
50-54	7.4	5.5	4.9	5.2	5.3
55-59	11.0	7.9	7.6	7.3	7.1
60-64	17.1	11.7	13.1	12.8	13.7
65-69	24.6	17.9	19.5	20.9	22.0
70+	72.6	45.0	68.0	48.1	52.4

Source: Georgian Statistical Yearbook (2000) published by the National Statistical Office.

Incidence of principal categories of disease

	1995	**1996**	**1997**	**1998**	**1999**
Incidence of disease (first-time diagnosis) (thousands of cases)	778.5	401.5	366.6	433.7	440.1
Of which:					
Infectious and parasitic diseases	19.4	35.5	38.1	37.6	33.0
Neoplasms	3.2	3.8	4.2	5.6	6.2
Endocrine diseases, metabolic disorders	9.3	14.8	25.4	42.6	33.9
Diseases of the blood and blood-forming organs	3.5	5.0	4.8	6.0	6.7

	1995	1996	1997	1998	1999
Psychiatric disorders	2.9	3.1	4.2	6.9	6.5
Diseases of the nervous system and sensory organs	19.3	19.2	23.7	33.3	36.0
Diseases of the circulatory system	23.6	17.1	27.0	51.6	47.4
Diseases of the respiratory organs	172.5	160.3	122.7	130.4	151.8
Diseases of the digestive system	128.3	79.8	52.6	44.5	41.4
Diseases of the urogenital system	15.5	15.6	15.7	18.1	24.4
Complications during pregnancy, childbirth and the post-natal period	2.2	2.7	4.1	4.1	5.2
Diseases of the skin and hypodermic cellular tissue	27.5	15.6	14.4	18.8	15.1
Diseases of the musculoskeletal system and connective tissue	4.4	3.6	5.0	7.4	7.9
Birth defects	0.6	0.7	1.1	1.7	1.5
Specific perinatal conditions	0.2	0.7	1.4	2.6	3.1
Symptoms, signs and ill-defined conditions	0.7	1.1	0.4	1.7	1.3
Injuries, poisoning	45.4	22.9	21.8	20.8	19.1

Source: Georgian Statistical Yearbook (2000) published by the National Statistical Office.

Incidence of principal categories of disease among children aged 0-14

	1995	1996	1997	1998	1999
Incidence of disease (first-time diagnosis) (thousands of cases)	204.6	196.5	148.7	151.8	139.5
Of which:					
Infectious and parasitic diseases	8.5	19.5	19.2	17.2	14.4
Neoplasms	0.1	0.0	0.8	0.2	0.1
Endocrine diseases, metabolic disorders	3.0	6.4	7.7	13.6	9.1
Diseases of the blood and blood-forming organs	2.6	3.3	3.1	3.1	2.8
Psychiatric disorders	0.2	0.2	0.3	0.6	0.6
Diseases of the nervous system and sensory organs	6.5	9.2	11.6	13.9	12.1
Diseases of the circulatory system	0.9	1.2	1.6	1.3	1.5

	1995	1996	1997	1998	1999
Diseases of the respiratory organs	100.9	97.4	79.8	72.5	73.9
Diseases of the digestive system	55.7	42.6	7.3	10.3	6.3
Diseases of the urogenital system	2.0	2.4	2.7	2.8	3.0
Diseases of the skin and hypodermic cellular tissue	7.2	5.0	5.2	5.7	5.0
Diseases of the musculoskeletal system and connective tissue	1.2	1.0	1.5	0.8	0.2
Birth defects (developmental disorders)	0.5	0.5	0.6	1.3	1.2
Specific perinatal conditions	0.3	0.2	0.5	2.6	3.0
Symptoms, signs and ill-defined conditions	1.1	0.6	0.6	1.4	1.1
Injuries, poisoning	13.9	7.0	6.2	4.5	4.2

Source: Georgian Statistical Yearbook (2000) published by the National Statistical Office.

National health-care policy

189. Presidential decree No. 179 (7 May 2000) on urgent measures to implement the conceptual underpinnings of social development in Georgia approved the following initiatives: first, a national health-care policy; and, second, a strategic plan to develop health care in Georgia in the period 2000-2009. The results of the first year of the strategic plan are currently being evaluated. The plan is based on the long-term macroeconomic forecast drawn up by the Ministry of Economic Affairs in 1999, which has itself undergone significant correction in the past year. Accordingly, the financial component of the strategic plan is currently being reworked to bring it into line with the revised macroeconomic indicators in the forecast.

Public health budget

190. The following table indicates the level of central funding for health-care programmes in the period 1997-2000.

Year	Planned indicator (thousands of lari)	Percentage executed
1997	49 313	56.5
1998	54 220	58.0
1999	52 800	55.3
2000	48 000	80.9

Statistics in respect of World Health Organization (WHO) indicators.

(a) Infant mortality

191. See tables below.

Infant mortality, under 1 year

Years	Total	Boys	Girls	Towns	Countryside
1998	710	437	273	629	81
1999	713	430	283	641	72

Infant mortality, under 5 years

Years	Total	Boys	Girls	Towns	Countryside
1998	820	503	317	684	136
1999	796	481	315	683	113

Breakdown of infant mortality (under 1 year) by region

Region	1997	1998	1999
Tbilisi	26.0	29.4	42.9
Ajara	23.4	24.0	23.4
Guria	6.6	8.0	12.2
Racha-Lechkhumi and Kvemo Svaneti	14.1	8.2	7.2
Samegrelo and Zemo Svaneti	10.6	10.1	6.1
Mtskheta-Tianeti	5.7	3.7	17.1
Samtskhe-Djavakheti	12.4	9.2	12.6
Kvemo Kartli	10.0	6.0	9.9
Imereti	10.7	9.3	21.2
Kakheti	8.7	12.7	17.1
Shida Kartli	14.7	11.9	15.4
Georgia	15.3	15.2	17.5

(b) Access to drinking water

192. In recent years the Georgian public has been inadequately supplied with safe, good quality drinking water. The main problems as regards the supply of clean household and drinking water are human induced pollution, the shortage of drinking water, and poorly maintained infrastructure.

193. Notwithstanding the fact that 70 per cent of the population has access to piped drinking water (95 per cent in the towns and 35 per cent in the countryside), the water supplied to much of the population does not meet current health and hygiene standards. It often happens that drinking water is supplied in an unchlorinated state owing to the shortage of this additive in Georgia. Thus in 1999 the water supply in eight regions of the country was not chlorinated.

194. Supplies of drinking water are often very irregular owing to power outages. Thus in 1999, for example, drinking water was available in six regions of Georgia and several districts of the capital for just 3-5 hours a day.

195. In 1999 the centralized water distribution system in a number of towns and districts in Georgia was subjected to chemical and bacteriological tests. Headworks were also tested. The tests revealed that appropriate protective measures are imperative because in a significant number of cases the samples failed to meet existing standards.

(c) Access to sanitation

196. According to the Ministry of Labour, Health and Social Welfare, public sewerage in 45 towns across the country is in a lamentable state. Owing to obsolescence and decrepitude, 1,800 km of sewage piping (out of a total network of 4,100 km) needs to be completely overhauled. The sewage and wastewater treatment facilities must also be repaired and upgraded. Only in Tbilisi and five major cities is wastewater treated to a satisfactory standard.

197. Given the substandard quality (from the sanitary engineering point of view) of existing treatment plants and sewerage, the overall standard of service and treatment is quite low. Accordingly, there is a real risk of disease spreading.

(d) Childhood immunization

198. See table below.

Vaccine	1998		1999	
	Number immunized	Coverage (%)	Number immunized	Coverage %
Diphtheria, tetanus, pertussis	45 629	89.2	47 709	97.7
Rubella	53 098	95.5	54 029	97.0
Tuberculosis	48 199	73.9	44 581	95.2
Poliomyelitis	48 622	95.0	49 858	98.0

(e) Life expectancy

199. According to WHO statistics for 1994, average life expectancy in Georgia was 73.5 years. According to studies by independent experts carried out in 1997, average life expectancy in Georgia was 73 years for females and 66 years for males.

200. The information above was provided by the Ministry of Labour, Health and Social Welfare. In addition, the digest Men and Women in Georgia, 1999 (National Statistical Office publications, 2000) cites a life expectancy index of 77 years for women and 69 years for men. The same source states that the average life expectancy of both sexes in urban and rural areas alike has remained essentially unchanged (based on a study of trends over the period 1980-1999).

(f) Proportion of the population with access to professional medical care for the treatment of common diseases and injuries and access to 20 basic medicaments within one hour's walk or drive

201. 95 per cent of the population.

(g) Proportion of women with access to professional medical care at childbirth. Maternal mortality

202. See table below.

Year	Women giving birth, total	At maternity hospital	At home	Mortality (per 1,000 live births)
1998	50 177	48 532	1 646	68.56
1999	47 669	45 801	1 868	51.25

(h) Proportion of children with access to professional medical care.

203. According to statistics provided by the Ministry of Labour, Health and Social Welfare, 1,247,275 children and adolescents aged up to 18 attended outpatient clinics and health centres in Georgia in 1998. Of this total, 1,017,678 were children under 14 and 49,891 were infants under one year of age. In 1999 the same indicators were 1,123,346 children and adolescents; 990,859 children; and 47,537 infants.

Health care for the most vulnerable population groups

204. This category includes the neediest population groups for whom even basic medical care is often inaccessible. The situation facing these groups is described in Georgia's initial report under the Covenant (paras. 242-247). As part of the initial stage of reorganizing the Georgian health-care system, the State has pledged to implement extended public health-care programmes. One of the most noteworthy is the national programme to provide supplementary medical care to the needy, which aims to guarantee medical assistance for socially disadvantaged groups.

205. The regions of Racha-Lechkhumi (Kvemo Svaneti), Zemo Svaneti and the city of Poti are public health blackspots, with local morbidity indicators higher than the national average.

206. Raising the standard of public health correlates directly with decent working and leisure conditions. In creating such conditions, the following factors play a significant role: first, wholesome food and drinking water; second, a healthy lifestyle; third, enhancement of the public's basic medical knowledge and know-how; and, fourth, reduction of social tensions. The Ministry of Labour, Health and Social Welfare reports that implementation of these measures is provided for under the relevant State programmes. In each case results are assessed on the basis of appropriately formulated indicators. It should be noted, however, that, in the light of the current situation in Georgia (which to some extent is reflected in this report), it is hard to foresee major improvements in this field.

Reducing stillbirths and infant mortality

207. On this question, see Georgia's second periodic report under the International Covenant on Civil and Political Rights (paras. 90, 91 and 94-96).

208. In order to reduce the death rate among infants under one year of age, a number of measures were launched in 1999. These basically involve the launching of a referral system for women in pregnancy, childbirth and the puerperium and for newborn infants, and the holding of an inquest into every death. In the opinion of the Ministry of Labour, Health and Social Welfare, there has been a resulting improvement in the quality of the medical care provided to newborns, the procedure for the hospitalization of newborns has been properly regulated, and the system for recording infant deaths has been reorganized. The relevant section of this report should be consulted for statistics on the number of infants who die before reaching their first birthday (see above).

Measures to improve health and safety at work

209. The following steps are taken to improve working conditions in industry:

- Working conditions and employee health are systematically investigated with a view to identifying the most "unfavourable" workplaces;
- Working conditions at the most "unfavourable" workplaces are further analysed;
- A study is conducted of the health of the workforce and the incidence of diseases resulting in temporary incapacity for work; a causal link is thereby established between working conditions and the employees' state of health;
- In the light of the study, specific measures are devised to improve health and safety at work and the organization and quality of medical services;

- The results of the study are transmitted to the management of the enterprises involved and the bodies to which they report, as well as to the medical institutions which provide them with preventive medical care and the relevant units of the Ministry of Labour, Health and Social Welfare.

210. In addition, to pave the way for proper monitoring of health and hygiene at work, guidelines and training material are being developed to improve occupational health and safety across the board and in individual sectors of industry. This material will subsequently be submitted to the Ministry of Labour, Health and Social Welfare for final approval.

211. Owing to the difficult social and economic conditions which obtain in Georgia, in recent years the mechanism for registering information about temporary disablement caused by illness has been disrupted, and thus it has been hard to establish the necessary causal link between working conditions and the state of health of the workforce. This in turn frustrates the proper organization and development of specially adapted preventive measures in the workplace.

Efforts to combat endemic, epidemic and other diseases

212. A programme to monitor quarantinable and especially hazardous and other analogous infections, in addition to providing for epidemiological supervision, has been in operation since 1995.

Universal access to health care

213. As mentioned in the initial report and repeated here, universal medical care for all residents of Georgia is provided under nationwide and municipal programmes on the basis of State-approved outpatient and inpatient standards. At the same time it should be noted that medical care in excess of the prescribed standard, and also the price of drugs, continues to fall outside the orbit of State regulation.

Organization of primary medical care

214. Primary medical care within the framework of the public health service is intended, first and foremost, to serve as a first point of contact between the population and the medical and social services, which should be as approachable as possible, and also to lay the foundations for continuous and ongoing health monitoring.

215. The strategic basis of primary health care consists in orienting the public towards family medicine and creating the institution of the family doctor.

216. Preventive medical measures in the sphere of primary health care are implemented through appropriate institutions such as State-run and private village outpatient clinics, health clinics, and dispensaries. The task of formulating policy and strategy in this area has fallen to the Department of Public Health Care at the Ministry of Labour, Health and Social Welfare. Among other things, the Ministry regulates national standards of medical service, licenses

medical treatment and prevention facilities, and monitors the quality of medical care and medical training. At local level (in the country's various territorial units) the work of the primary health care system is overseen by the local authorities.

217. Primary health care is mainly funded from the following sources:

- National medical treatment and prevention programmes;
- Local medical treatment and prevention programmes;
- Revenue derived from services provided to the population outside the above-mentioned programmes, in accordance with internal standards;
- Revenue derived from any other authorized activity.

Georgia's international contacts and cooperation in the sphere of health care

218. Over the past five years the Ministry of Labour, Health and Social Welfare has developed fairly close cooperation with international organizations involved in one way or another with the issue of human rights in the area of health care.

219. Another department of the Ministry that handles these issues is the Law and Bioethics Unit of the National Health-Care Centre, one of whose main projects is to align Georgian health-care legislation with international human rights standards. To this end, the unit searches for and classifies relevant international instruments for use in the lawmaking process, makes arrangements for the review of bills and draft regulations by foreign experts, and regularly updates the relevant international organizations on the human rights situation in the field of health care.

220. The Law and Bioethics Unit cooperates with international organizations such as the WHO Regional Office for Europe (the health systems organization and management unit and the WHO European Partnership on Patients' Rights and Citizens' Empowerment), the Council for International Organizations of Medical Sciences, the Council of Europe's Steering Committee on Bioethics, and the World Medical Association.

221. As a result of this effort, the complete corpus of international instruments on human rights in the sphere of health care is now available to the Ministry of Labour, Health and Social Welfare. Most of these instruments have been translated, published and disseminated among health care professionals in Georgia. They include the European Convention on Human Rights and Biomedicine, United Nations instruments, and recommendations and declarations of the World Medical Association concerning human rights and health care.

222. The Ministry of Labour, Health and Social Welfare initiated the process of signing and ratifying the Convention on Human Rights and Biomedicine and the Additional Protocol thereto on the prohibition of cloning human beings. These instruments came into force in Georgia on 1 March 2001. It should be noted that, by signing the Protocol on the prohibition of cloning, Georgia became one of only five European States where this instrument has entered into force.

223. The international assistance extended to Georgia to improve its legislation has been very significant. Thus, the bill on patients' rights was scrutinized by experts from the WHO Regional Office for Europe, experts involved in the American Bar Association's Central and East Europe Law Initiative, and an expert from University of Toronto in Canada. As part of the support provided by the Council of Europe's Directorate General of Legal Affairs, the bill on medical and biological research on human beings was reviewed by the same prominent experts who had drafted the Convention on Human Rights and Biomedicine. They concluded that Georgian legislation in this area conformed to the provisions of international instruments dealing with human rights in the health sector.

224. The relevant international organizations are regularly updated on the human rights situation in the health sector in Georgia. Thus, the WHO document *Patients' Rights Development in Europe*, published by the WHO Regional Office for Europe in December 1998, contains detailed information on Georgian laws regulating patients' rights. In 1999-2000 material published by the Council of Europe's Steering Committee on Bioethics regularly cited information about Georgia's achievements in the field of human rights and biomedicine.

Additional statistics concerning realization of the right to the highest possible standard of physical and mental health

Principal public health service indicators in Georgia, 1997-1999

	1997	1998	1999
Number of physicians, all specialist disciplines (in thousands)	21.8	20.8	21.5
Number of physicians per 10,000 population	40.0	38.0	45.0
Number of intermediate medical personnel (in thousands)	29.8	28.6	28.6
Number of intermediate medical personnel per 10,000 population	54.9	52.0	62.0
Number of hospitals	298	288	246
Number of hospital beds (in thousands)	24.4	23.5	22.5
Average length of stay in hospital (days)	10.5	11.7	10.7
Number of outpatient clinics	1 109	1 009	1 073
Capacity of outpatient clinics (admissions per shift, in thousands)	97.7	100.0	97.2

Emergency medical services

Year	Number of persons receiving first aid	Of which:			
		Accidents	Sudden onset of illness	Childbirth and complications in pregnancy	Transport of patients, women in childbirth and newborns
1996	152 344	7 701	139 734	959	3 950
1977	117 734	7 295	105 932	780	3 727
1988	123 582	7 794	111 410	1 337	3 041
1999	142 695	10 219	126 644	1 856	3 976

Breakdown of disabled persons, by cause of disability, on initial qualification for such status

	1997	1998	1999
Total number of disabled, on initial qualification	10 852	12 721	11 567
Of which female	5 137	6 081	5 146
Nature of disability			
Accident at work, occupational disease	48	47	55
General illness	9 593	11 046	10 155
Military	209	553	517
Childhood disability	1 002	1 075	840
Certified permanently disabled	2 553	3 208	3 513

Abortions

	1997	1998	1999
Total number of abortions (in thousands)	23.4	21.0	18.3
Of which early safe induced abortions (mini-abortions) (in thousands)	5.5	6.8	6.5
Number of abortions by age group:			
Below 15	2	14	3
15-19	1 320	1 009	866
20-34	17 690	15 919	14 271
34+	4 388	4 076	3 166

225. As far as family planning is concerned, it should be noted that during the past year more than 30 reproductive health counselling centres have been set up in towns across Georgia. They provide visitors with contraceptives and information and advice on family planning issues and contraceptive use. This project is the result of cooperation between a Georgian non-governmental organization and the Johns Hopkins University in the United States of America. The Georgian Institute for Reproductive Health is also involved.

Article 13

General education indicators in the reporting period

226. The initial report of Georgia to the Committee on the Elimination of Racial Discrimination should be consulted on this issue because it provides a detailed account of legislation governing education (paras. 253-265) and statistical data to the end of 1998 (paras. 266-271).

227. In addition, important information on the right to education is contained in the replies to the list of issues formulated by the Committee on the Rights of the Child (CRC/C/Q/GEO/1) in connection with its consideration of the initial report of Georgia. The report was taken up in May 2000.

228. Specific aspects of the right to education are also touched upon in Georgia's replies to the list of issues formulated by the Committee on Economic, Social and Cultural Rights, (E/C.12/Q/GEO/1), as previously mentioned in this report. The relevant statistics and other information may be found in the replies to questions 42-46 in that document.

229. In the light of the foregoing, and given that less than a year has elapsed since the submission of the above-mentioned documents, we propose to cite here only those statistics which cannot be found in the documents referred to and to flag any changes.

230. Below are statistics providing an overview of the education sector in Georgia.

Level of education of the population

	1979	**1989**	**1999**
Total number of persons aged 10 and over with complete or incomplete higher or secondary education (per 1,000 persons in this age range)	698	798	871
Portion of this total with:			
Higher education	103	137	201
Incomplete higher education	19	22	40
Specialized secondary education	100	169	174
General secondary education	292	328	330
Incomplete secondary education	184	142	125

Educational establishments: Number of students and pupils (at beginning of academic year)

	Number of institutions			Number of students (pupils) (in thousands)		
	1997/1998	1998/1999	1999/2000	1997/1998	1998/1999	1999/2000
Preschool establishments	1 224	1 241	1 229	74.9	74.2	74.0
State general education schools	3 223	3 237	3 201	721.8	722.5	714.4
Elementary vocational and trade schools	99	98	84	17.8	18.4	16.8
State secondary specialised educational establishments	81	83	85	30.7	32.4	29.9
Private (fee paying) secondary specialized educational establishments	47	58	58	5.2	7.2	6.8
State higher educational establishments	23	24	24	87.3	90.1	95.0
Private (fee-paying) higher educational establishments	159	154	162	40.2	38.3	40.1
Postgraduate institutions	66	66	69	1.9	1.8	1.8

231. In recent years, the number of pupils attending secondary general educational and specialized schools (expressed per 1,000 of population) has remained fairly stable, whereas the number of students attending higher educational establishments has risen significantly.

232. The number of experts graduating from higher and secondary specialized educational establishments over the same period (per 1,000 of population) has fluctuated, although there has been a slight overall increase. Thus the indexed number of graduates of secondary specialized schools increased from 13 in 1997/98 to 21 in 1999/2000, compared with 40 and 45 for graduates from higher educational establishments in the same years.

233. The table above shows that, during the reporting period, there was a decline in the number of State-run secondary general educational establishments and evening schools, and of pupils in both categories of institution. The average pupil-teacher ratio remained unchanged at 10 to 1.

Breakdown of pupils at daytime general educational schools, by language of instruction

	1997/1998	1998/1999	1999/2000
Total number of pupils (in thousands)	714.6	715.8	707.6
Of which taught in:			
Georgian	600.0	603.1	600.4
Russian	44.4	43.7	40.8
Azerbaijani	41.9	41.0	39.6
Armenian	28.0	27.8	26.7
Ossetian	0.2	0.2	0.2

Elementary vocational and trade education

234. During the reporting period there was a decline in the number of educational institutions in this category, and also a decline in the number of students enrolling in or graduating from vocational schools. During the period 1997-1999 the number of educational establishments in this category declined from 99 to 84, and the number of students from 19,600 to 16,800. The annual intake fell from 11,100 to 7,100, and the number of those completing their courses from 10,100 to 7,200.

Secondary specialized education

235. During the reporting period, the number of State secondary specialized educational establishments increased from 81 in 1997 to 85 in 1999. Meanwhile the number of students fell from 30,770 in 1997 to 29,900 in 1999, principally owing to the decline in the number of students taking distance-education courses. The number of privately run schools in this category increased from 47 to 58, as did the number of enrolled students (from 5,800 to 6,800). Fee-paying courses are offered during the daytime only

Higher education

236. During the period 1997-1999 the number of students at State higher educational establishments increased from 87,300 to 95,000. The number enrolled in daytime courses increased, while the number enrolled in evening classes fell by 40 per cent; the total number of students on distance-education courses remained more or less unchanged. There was a small increase in the number of private higher educational institutions against the backdrop of fluctuating student numbers. Only the number of students on distance-education courses showed an appreciable decline, from 3,000 to 2,100.

237. State and private higher educational establishments which train education specialists make up the bulk of institutions in this category. Consequently, the highest numbers of students are concentrated in these institutions. The next largest in terms of student numbers are institutions specializing in agriculture, industry, construction, economics, law and medicine.

Postgraduate studies

238. Relevant statistics are indicated in the table below.

	1997	1998	1999
Total postgraduate intake	655	602	584
Total number of postgraduates	1 911	1 824	1 826
Total postgraduate leavers	489	536	596
Total number of postgraduate leavers presenting dissertations	14	19	32

Schools for mentally and physically disabled children

239. Education for children in this category is provided by 14 residential institutions catering for 2,460 children (1,151 girls and 1,309 boys) aged between 7 and 18. Analysis of recent data reveals that the number of children in residential institutions has steadily increased, from 1,551 in 1997 to 2,460 in 2000.

Public funding for education

240. Information received from various sources indicates that, over the reporting period, public expenditure on education has declined steadily. In 1999 budget appropriations for education did not exceed 2.2 per cent of GDP. In absolute terms the sum involved was just less than 30 million lari. Against the backdrop of a chronically underfunded education system, as noted in the *Human Development Report Georgia, 2000* prepared by the United Nations Development Programme (UNDP), propitious circumstances have developed for an informal system of payments whereby Georgian households fund much of the budget of educational institutions from their own resources. They contribute to so-called "school funds" and provide fuel to heat school buildings in wintertime, etc. In addition, official fees are payable at private secondary and higher educational establishments.

241. As a result of negotiations that have been going on since 1998, an agreement has been signed under which the World Bank has undertaken to lend US$ 60 million to the Georgian Ministry of Education. This money will to be spent exclusively on the secondary school system. The following priorities have been selected:

- Establishment of national standards and curricula; development and introduction of new textbooks complying with national standards and curricula, and provision of teaching support materials to schools;

- Enhancement of training and refresher courses for teachers in line with new standards;

- Modification of the assessment system in secondary schools; introduction of computerized administration systems and formulation of administrative policy in the educational sphere;

- Optimization of a model for teachers' salaries. It should be noted that in executing loan projects a mechanism exists to ensure public scrutiny of the targeted use of funds.

242. This kind of monitoring can be performed by non-governmental organizations. When Georgia submits its third periodic report, we may be in a position to announce the results achieved during the implementation of these projects.

Article 15

The right to take part in cultural life

243. Concerning equal enjoyment of this right, see the initial report of Georgia to the Committee on the Elimination of Racial Discrimination, paragraphs 272-279. This issue is also covered in the written replies to the list of issues formulated by the Committee on Economic, Social and Cultural Rights in connection with its consideration of Georgia's initial report under the Covenant (HR/CESCR/None/1999/15, answers to questions 47-50).

244. In addition to this information, selected data supplied by the Ministry of Culture are reproduced below.

245. There are currently two funds in Georgia whose main aim is to develop culture and encourage the creative involvement of all population groups in this process. These are the Cultural Heritage Fund and the Fund for the Development and Popularization of Culture.

246. During the reporting period the Ministry of Culture was directly responsible for 11 cultural centres, 478 houses of culture and 849 clubs. Most of these institutions are in need of physical repair; they are housed in unsuitable premises with no heating in winter, and their furnishings and equipment are worn out. Most of the 14 parks of culture and recreation require a facelift: new trees and shrubs need to be planted and the fun-fairs are now thoroughly obsolete. There is no money for restoration work or the acquisition of new stock and equipment.

247. Intermittent performances are put on by Georgia's 72 amateur theatre groups (20 puppet theatres and 52 folk theatres). An amateur theatre festival was organized in 1998. Owing to financial constraints, it has not been possible to organize a similar festival since that time. Another amateur theatre festival is nevertheless planned for 2002, and this will be accorded international status.

248. Georgia boasts 1,650 amateur folk ensembles. A folk Olympiad was held in 1997, and plans were made to repeat the event every two years. But again it was impossible to translate this project into reality for want of funds. An international folk festival is scheduled to be held for the first time this year. The main problem facing folk ensembles is lack of money, which means that many groups cannot even afford costumes. Despite repeated invitations to seminars and conferences organized by the International Organization of Folk Art, Georgian representatives have been unable to participate for want of funding.

249. As regards the amateur cultural activities of Georgia's minorities, there are amateur Armenian theatres in Akhaltsikhe district (village of Sadzelisi), Akhalkalaki and Ninotsminda, and a Russian national theatre at the Rustavi house of culture. The Daiomakh folk ensemble is based in Akhmeta district; there is an Assyrian folk group based in Tetri-Tskaro; and there are Armenian folk ensembles in Akhalkalaki and Ninotsminda.

250. Statistics on the existence and operation of cultural infrastructure in Georgia during the reporting period are indicated in the table below.

	1997	**1998**	**1999**
Museums (total)	96	97	98
Of which:			
Historical/archaeological	13	12	13
Memorial	32	33	34
Regional interest	36	36	35
Arts	11	12	11
Literary	2	2	2
Industrial heritage	2	2	3
Number of visitors (in thousands)	368.4	324.1	326.4
Number of exhibitions	363	337	385

	1997	**1998**	**1999**
Public-access libraries	2 425	2 301	2 251
Number of readers (in thousands)	2 191.5	2 753.3	2 480.3
Average number of readers per library	903.7	1 196.6	1 101.9
Number of books (in millions)	25.9	24.5	31.6

	1997	**1998**	**1999**
Professional theatres (total)	32	32	32
Of which:			
Opera and ballet	2	2	3
Drama, musical comedies, sketches, etc.	22	22	22
Children's	2	2	1
Puppet	6	6	6
Number of theatregoers (in thousands)	479.0	421.6	352.6
Number of performances	2 686	1 995	2 206
Number of seats (in thousands)	14.4	14.0	14.6
New performances	75	73	51
Average number of theatregoers per performance (in thousands)	0.2	0.2	0.2

251. Georgia is sensitive to minority cultures and notable representatives of these cultures. The following examples will bear out this assertion.

252. To commemorate the two hundredth anniversary of the birth of Alexander Pushkin (of whom there is a memorial museum in Tbilisi), the National Art Gallery and the Literary Museum exhibited archive materials and paintings connected with the life of the great Russian poet. An international conference was organized in Tbilisi to celebrate the Pushkin jubilee.

253. In 2000 there was an exhibition of the work of the famous Armenian artist and film director Sergei Parajanov, who lived in Georgia. Events to commemorate the life of Boris Pasternak were organized the same year, including publication of his *Notebook*.

254. The National Museum of Folk and Decorative Art organized an exhibition to mark the centenary of the birth of the Latvian artist Janis Straume. In addition to the exhibition, which was made possible with the collaboration of colleagues from Latvia, a seminar was held to commemorate this anniversary.

255. A museum dedicated to the famous Armenian Conductor Aleksandr Melnik-Pashaev has opened in the composer's house in Marneuli district, and this serves as a venue for frequent concerts and commemorative evenings. The Vladimir Mayakovsky museum in the poet's house in Bagdadi has developed a tradition of hosting symposia for the poet's admirers.

256. As is the case with other cultural centres, the main problems confronting Georgia's museums are bound up with insufficient material resources and inadequate funding.

257. Of the total number of libraries operating in Georgia, 120 are specifically for children and nine for young people. In Tbilisi and Batumi there are two central State libraries, and Tbilisi also has a central State youth library.

258. Practically all social and ethnic groups of the population are represented among library users. Libraries normally hold a diverse stock of foreign literature, both in the original and in translation. Library holdings in areas with large ethnic minority populations include literature in the local language. These libraries serve as a venue for meetings with representatives of the intelligentsia and creative arts of national minorities and for various jointly organized events.

259. In 2002 it is planned to refurbish Georgia's libraries and replenish their stocks in accordance with a programme drawn up by the Ministry of Culture. In January 2000 the Georgian Government discussed measures to improve the work of libraries, and pursuant to the decision adopted at that time they will operate in accordance with a State programme.

260. The problems facing libraries are mainly bound up with the lack of full-time librarians. Local budget underfunding means that library holdings are not replenished with new titles. In many cases libraries are located in unsafe buildings. Up-to-date equipment is quite simply out of the question.

261. Of the professional theatres currently operating in Georgia, three perform in Russian and one each in Armenian, Abkhaz and Ossetian. Preparations are still being made to establish a national Azerbaijani theatre in the capital. Five independent professional theatre companies have also sprung up in Georgia.

262. The general problem facing all theatres is a lack of money to stage performances and organize tours, and a dearth of information about contemporary trends in world drama. For example, it is impossible to raise funds for the translation and publication of the best in contemporary drama. Notwithstanding these obstacles, the table above shows that no theatre has gone out of business during the reporting period.

263. Despite the problems enumerated above, two festivals have been organized during the reporting period - the Golden Mask International Theatre Festival at Rustavi and the "Gift" International Arts Festival in honour of Mikhail Tumanishvili.

264. In addition to its efforts on behalf of Georgian-language theatre, the State provides whatever assistance it can to ethnic minority theatre companies in helping them organize tours and participate in international theatre festivals and competitions, etc.

265. Unfortunately, opportunities to showcase world cultural heritage in Georgia are severely hampered by a lack of money. For the same reason it is often very difficult to ensure the participation of Georgian cultural figures in international competitions and exhibitions. There is a steady stream of talented singers, musicians and dancers leaving Georgia.

Cultural education

266. The system of arts education in Georgia comprises three levels: elementary (music and arts schools etc.), secondary specialized (arts colleges), higher vocational (arts academy, conservatoire, theatre and cinema institute, cultural institute), and higher (masters degrees, postgraduate studies, traineeships).

267. Elementary education is financed from local budgets with a partial contribution from parents, whereas secondary and higher vocational education is made possible through State-funded requisitioning of educational places.

268. Notwithstanding the requirements of the Culture Act, local authorities in many areas of Georgia have independently initiated the process of requiring elementary-level arts schools be completely self-supporting, in effect sounding their death knell. Consequently a large number of talented children from socially disadvantaged backgrounds are being deprived of the opportunity to take up the arts, an opportunity which was formerly offered to them by the State.

269. A number of steps have been taken to correct this situation: an arts education bill has been drafted and the Ministry of Culture has drawn up a special programme to develop arts education. In December 2001 the Georgian Government will consider the whole issue of measures to promote arts education. The Ministry of Culture is currently studying this question.

270. In January 2001 amendments were made to the Georgian Tax Code which experts believe will have unavoidable negative consequences for educational institutions in the arts sphere, for example inadequately trained personnel, cuts in teaching staff, unwarranted changes to syllabuses, and in many cases the scrapping of subjects in which there is a shortage of

teachers. Accordingly, the Ministry of Culture has petitioned the President, the speaker of Parliament and the Minister for Tax Revenue to review the offending provisions of the Tax Code (chap. 29, art. 188).

Right to enjoy the benefits of scientific progress

271. According to information supplied by the Georgian Academy of Sciences, a number of legislative steps have been taken during the reporting period to protect and nurture science, and to ensure the unimpeded enjoyment of the benefits of scientific progress. The most important development is probably the establishment of a legal foundation for the protection of intellectual property. The principal statutes regulating this field were passed in 1999. These statutes have in turn paved the way for greater efficiency in the work of the various components of the system to protect intellectual property.

272. The following statutes were passed in 1999: the Copyright and Associated Rights Act, the Patents Act, the Layout of Integrated Microcircuits Act, and the Intellectual Property (Border Measures) Act.

273. Another very important statute that has been adopted is the Crop Varieties and Quality Seed and Planting Stock (Authorized Propagation) Act.

274. Questions relating to the development and use of scientific works are regulated by the Copyright and Related Rights Act, chapter III of which contains a detailed list of the restrictions on the free use of works (including scientific works) by their creators and other persons involved (arts. 21-30). The same statute protects scientific copyright. Among other things, the Copyright and Related Rights Act lists the scientific works to which copyright does and does not apply (arts. 5 and 6), secures the exclusive rights of the publisher (art. 14), and formulates personal economic and moral rights arising from scientific work (art. 17).

275. It should be noted that harassment of an individual in connection with his or her scientific work is an offence under article 156 of the Criminal Code.

276. In order to illustrate what measures have been taken in practice to foster science in Georgia (defining science in the broadest sense), we cite here a list of the presidential decrees and orders that have some bearing on this issue:

- Presidential decree validating the conditions for the award of presidential bursaries to young scientists (September 1997);
- Presidential order on funding for the establishment of the Athens Georgian-Greek Research Institute at I. Djavakhishvili State University in Tbilisi (September 1997);
- Presidential decree on State support for specially gifted children and young people (October 1997);
- Presidential decree awarding presidential bursaries to young scientists (November 1997);

- Presidential decree on organizing Georgian-themed exhibitions and scientific and cultural events in the United States of America in 1998-1999.

277. The Georgian Academy of Sciences began to establish international contacts with foreign academies and scientific centres in 1991. At the same time the Academy's various institutes were authorized to make individual arrangements with foreign partners to undertake joint scientific research. The Academy of Sciences has already concluded cooperation agreements and agreements on exchange of scientists with the academies of Azerbaijan, Armenia, the Russian Federation, Uzbekistan, and Ukraine. Cooperation is being pursued with other countries in the Commonwealth of Independent States under the Treaty on the International Association of Academies of Sciences, which brings together the academies of the countries of the former USSR. Where countries outside the former Soviet Union are concerned, the Georgian Academy of Sciences has concluded agreements with scientific societies such as the British Academy, the Royal Society in London, the academies of sciences of Austria, Hungary, and Poland, the Israel Academy of Sciences and Humanities, the Italian National Council for Scientific Research, the United Nations Educational, Scientific and Cultural Organization (UNESCO), and others.

278. Individual Georgian institutions and scientific centres have also concluded partnership agreements with their counterparts abroad. Thus, agreements have been concluded between the Abastumani Astrophysics Observatory and Tbilisi State University, on the one hand, and the University of Western Ontario (Canada), on the other; the Institute of Pharmaceutical Chemistry and the Université de la Méditerranée (France); the Palaeontological Institute and the Botanical Institute of the Polish Academy of Sciences; and the Institute of Physiology and the Los Angeles Oncological Institute (United States of America).

279. During the reporting period Georgian academics participated in other forms of joint research and international contacts; the cost being met by foreign partners or through grants. The British Academy and the Royal Society, for example, aware of the Georgian Academy's financial limitations and notwithstanding Georgia's obligations under the agreement, bore all the costs associated with the visit of the Georgian academics.

280. The attendance of Georgian academics at various international conferences, symposiums and congresses has been made possible by similar means. Compared with the late 1980s, for example, the number of Georgian academics travelling abroad has increased considerably. Whereas in 1989 some 300 Georgian academics went on visits abroad, in 2000 approximately 180 such visits were made by the Academy's mathematicians and physicists alone. On average, almost as many again travel abroad from other departments of the Academy. The most frequent destinations are Austria, France, Germany, Italy, the Russian Federation, Switzerland and the United Kingdom, although Georgian academics have visited more than 20 countries all over the world.

281. Regarding the contribution made by Georgian academics to international science, it is worth recalling such famous names as the mathematicians I. Muskhelishvili and I. Vekhua, the physicist A. Tavkhelidze, the physiologist I. Beritashvili, the psychologist D. Uznadze, and others. Recent breakthroughs made by Georgian academics include the discovery of two prehistoric *homo erectus* skulls (so-called *homo ergaster*) estimated to be 1.7 million years old. The skulls were found at an archaeological site west of Tbilisi. This find is significant for

the international scientific community because it proves that humans settled in Europe twice as long ago as was previously thought. It also confirms that prehistoric humans entered Europe from Africa via the Caucasus. To follow up this discovery, the Georgian Academy of Sciences has launched an international project for interdisciplinary research at the site where the early hominids were discovered. This project is scheduled to run from 2000 to 2005. It is hoped that German, American and other foreign academics will participate alongside their Georgian colleagues.

282. It is regrettable to report that the financial prospects of the Georgian Academy of Sciences have not improved during the period 1997-2001. Spending is down in nearly all areas - utilities, office and transport overheads - not to mention research. Spending on new apparatus and capital repairs has been dropped from the budget altogether.

283. During the same period staff numbers at the Academy have declined from 10,389.5 to 6,878.5 staff units (33.8 per cent). The number of employees at the Academy has halved since 1994.

International cultural contacts

284. In 2000 Georgia, as a full member of the Council of Europe, celebrated European Heritage Days for the second time. This event is celebrated annually in member States of the Council of Europe with support from the European communities.

285. The first ever meeting between the ministers of culture of Armenia, Azerbaijan and Georgia took place at the headquarters of the Council of Europe in Strasbourg, France, in December 2000. This meeting focused on a project devised by the Council of Europe for an overarching cultural policy in the three States concerned, scheduled to run for three years. At the same time, the ministers of culture of Georgia and the Russian Federation signed a treaty to ensure cooperation between their respective ministries in the period 2000-2002.

286. The Georgian Ministry of Culture is developing very close contacts with counterpart structures in the People's Republic of China. In April 2001 a protocol was signed to encourage cooperation in the period 2002-2004. There are plans to organize Georgian cultural days in Beijing in autumn 2001, and Chinese cultural days in Tbilisi in spring 2002.

287. The first ever visit to Georgia by a group of experts from the Council of Europe is scheduled for June 2001. This team, headed by Mr. Terry Sandell, will be looking at aspects of Georgia's cultural policy. There are plans to organize a seminar and workshop during the visit, which will be attended by cultural figures from Georgia, Azerbaijan and Armenia.

288. It should be noted that the execution of a number of interesting projects in the field of international cultural cooperation continues to be extremely problematic. The main stumbling block is chronic underfunding.

Annex

Table 1

Absolute and relative poverty level (lari)

Year (average)	Subsistence level	Average consumption
1997	105.3	117.7
1998	101.6	102.8
1999	115.8	113.3

Table 2

Poverty level, urban and rural areas (per cent)

	1998				1999			
	1st quarter	2nd quarter	3rd quarter	4th quarter	1st quarter	2nd quarter	3rd quarter	4th quarter
	Relative to subsistence level							
Towns	47.9	55.9	55.3	49.7	59.4	67.5	61.1	52.7
Countryside	24.3	45.3	44.2	40.0	33.9	48.3	44.3	37.0
	Relative to 60% of average consumption							
Towns	18.6	28.0	27.3	25.6	29.1	29.1	27.1	29.3
Countryside	10.4	20.6	17.0	18.4	15.5	15.7	18.4	18.1
	Relative to 40% of average consumption							
Towns	7.8	12.3	13.1	12.8	12.1	13.4	11.4	11.3
Countryside	6.3	8.9	6.8	8.9	7.5	6.4	8.7	8.7

Table 3

Extent of poverty in urban and rural areas (per cent)

	1998				1999			
	1st quarter	2nd quarter	3rd quarter	4th quarter	1st quarter	2nd quarter	3rd quarter	4th quarter
	Relative to subsistence level							
Towns	17.5	23.0	22.9	28.8	23.0	29.6	24.1	20.7
Countryside	9.4	17.6	15.8	14.5	12.5	18.6	16.7	13.9
	Relative to 60% of average consumption							
Towns	6.4	9.4	9.9	8.9	9.3	9.5	8.7	9.1
Countryside	4.4	6.8	5.5	6.3	5.4	5.2	6.3	6.4
	Relative to 40% of average consumption							
Towns	3.1	4.0	4.7	3.7	3.9	3.9	3.6	3.5
Countryside	2.5	2.8	2.3	2.9	2.6	2.3	2.7	2.8

Table 4

Gini coefficient

	By monetary income	By total income	By monetary expenditure	By total expenditure	By total consumption
1997	0.55	0.52	0.46	0.44	0.39
1998	0.54	0.50	0.46	0.43	0.39
1999	0.58	0.52	0.45	0.43	0.39

List of attached documents

1. Interim text of the national programme for poverty reduction and economic growth (in English).

2. Statistical compendium on the situation of men and women in Georgia, 1999 (in English).

- - - - -